

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Monday, December 7, 2015 ■ 7:05 PM

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Council Chamber

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
 - a. November 16, 2015 Regular Meeting
 - b. December 2, 2015 Field Trip
- 4. Zoning Agent's Report**
- 5. Old Business**
 - a. **Other**
- 6. New Business**
 - a. **8-24 referral, acquisition of Puddin Lane parcel (Parcel ID 33.97.3-39)**
Memo from Inland Wetlands Agent
 - b. **Modification Request, Amphitheater and Exhibit Project, 28 Dog Lane; Paideia, PZC File #1337**
Memo from Director of Planning and Development
 - c. **Cumberland Farms, 1660 Storrs Road, PZC file #1303-2**
Request for determination on sign
 - d. **Appointment of Zoning Enforcement Officer**
Memo from Director of Planning and Development
 - e. **Draft Zoning Regulations**
Memo from Director of Planning and Development
 - f. **The Villages at Freedom Green – Phase IVC, Beaudoin Brothers, LLC. PZC File #636**
Request to release remaining bond
 - g. **Other**
- 7. Reports from Officers and Committees**
 - a. Chairman's Report
 - b. Regional Planning Commission
 - c. Regulatory Review Committee
 - d. Planning and Development Director's Report
 - e. Other
- 8. Communications and Bills**
 - a. 11/23/15 letter from B. Roe, Jr. and R. Shafer
 - b. 11/20/15 email from S. Bansal
 - c. 11/20/15 email from S. Bansal
 - d. 11/16/15 email from S. Bansal
 - e. 11/16/15 email from S. Bansal
 - f. Petition from Residents on Dog Lane and Willowbrook Rd.
 - g. Other

Charles Ausburger ■ Binu Chandy ■ JoAnn Goodwin ■ Roswell Hall III ■ Gregory Lewis ■ Kenneth Rawn ■ Bonnie Ryan
Vera Stearns Ward ■ Susan Westa ■ Paul Aho (A) ■ Katherine Holt (A)

9. Adjournment

DRAFT Minutes
Mansfield Planning and Zoning Commission
Regular Meeting
Monday, November 16, 2015
Council Chambers, Audrey P. Beck Municipal Building

Members present: C. Ausburger, B. Chandy, J. Goodwin, R. Hall, G. Lewis, K. Rawn, B. Ryan, V. Ward, S. Westa

Members absent:

Alternates present: P. Aho, K. Holt

Staff present: L. Painter, Director of Planning; C. Hirsch, Zoning Enforcement Officer

Chairman Goodwin called the meeting to order at 7:01 p.m.

Organizational Meeting:

- A. Introduction of new member– Goodwin welcomed new member Charles Ausburger and noted that Westa is now a regular member of the Commission.
- B. Election of Officers
 - A. Chairman: Ward MOVED and Chandy seconded to elect Goodwin as Chairman. Motion passed unanimously.
 - B. Vice Chairman: Rawn MOVED and Westa seconded to elect Ryan as Vice Chairman. Motion passed unanimously.
 - C. Secretary: Ryan MOVED and Hall seconded to elect Ward as Secretary. Motion passed unanimously.
- C. Committee Appointments: the following Committee Appointments were approved by consensus:
 - A. Capitol Region Council of Governments Regional Planning Agency: Westa and Hall (alternate)
 - B. Four Corners Sewer and Water Advisory Committee: Rawn and Ausburger (alternate)
 - C. PZC Subcommittee on Infrastructure Needs: Rawn, Holt, and Hall. Goodwin noted that anyone can join this committee without formal appointment by the Commission.
 - D. Sustainability Committee: Holt
 - E. Town-University Relations Committee: Aho
 - F. Transportation Advisory Committee: Aho, Hall
 - G. Ad Hoc Committee on Rental Housing Regulations and Enforcement: Goodwin, Ward and Ausburger. Goodwin noted that she would not be available for meetings until late afternoon and, if they were scheduled

earlier, she would step down. Rawn volunteered to be a member should one of the appointees be unable to participate due to meeting time.

- D. Review of By-Laws: Westa MOVED, Ward seconded to amend Articles VIII, XII, and XV of the By-Laws of the Planning and Zoning Commission as recommended by the Director of Planning and Development in her November 12, 2015 memo.

In addition to the specific changes recommended by the Director, the Commission also adopts the following amendments:

- Amend Article VII, Section 1 to read as follows:
Regular meetings generally will be held on the first Monday of each month at 6:30 p.m. or upon completion of any Inland Wetlands Agency meeting, at an appropriate place designated by the Commission. Regular meetings may also be held on the third Monday of each month at 6:30 p.m. as needed to address pending business. In the event of conflict with holidays or other events, a majority at any meeting may change the date of said meeting. The Secretary shall notify the membership of special meetings not less than 24 hours in advance of such meeting. In accordance with the requirements of the Freedom of Information Act, a schedule of regular meetings for the calendar year shall be adopted by the Commission and filed with the Town Clerk prior to January 31.

The motion passed unanimously.

Approval of Minutes:

10-14-2015 – Field Trip Minutes: Ryan MOVED and Hall seconded to approve minutes as written. All other members disqualified themselves.

11-02-2015 – Regular Meeting Minutes: Chandy MOVED and Rawn seconded to approve minutes as written. Motion was unanimously approved with the exception of Ryan and Ausburger who disqualified themselves.

Zoning Agent's Report:

Ward inquired regarding the status of 1925 Storrs Road. Hirsch noted that the owner has been working to address issues on the interior to meet Fire Marshal requirements and that due to the life/safety nature of those issues, that work took precedence over the work needed on the exterior. Hirsch noted that there is a court order for rectifying the exterior violations and that work is expected to begin shortly.

Public Hearing:

- A. Live Music Permit Renewals (PZC #895): Huskies Restaurant, 28 King Hill Road., (PZC #780-2); Pub 32, 847 Stafford Road., (PZC #595); Ted's Restaurant, 16 King Hill Road.,

(PZC #1107): The public hearing was opened at 7:20 p.m. All members present were noted and no alternates were seated. The legal notices printed in The Chronicle on 11/3/15 and 11/11/15 were read. C. Hirsch's memo from 11/10/15 was noted. Hall MOVED and Rawn seconded to close the public hearing at 7:25 p.m. The motion passed unanimously.

- B. Special Permit Application, Efficiency Unit, 650 Mansfield City Road, Lance Klase (PZC File #1337): The public hearing was opened at 7:26 p.m. All members present were noted. The legal notices printed in The Chronicle on 11/3/15 and 11/11/15 were read. C. Hirsch's memo from 11/12/15 was noted. The applicant L. Klase was present. Hirsch noted that proof of mailing for the required neighborhood notices and a notarized affidavit had been submitted. There were no comments. Hall MOVED and Rawn seconded to close the public hearing at 7:28 p.m. The motion passed unanimously.

Old Business:

- A. Live Music Permit Renewals (PZC #895): Huskies Restaurant, 28 King Hill Road (PZC #780-2); Pub 32, 847 Stafford Road (PZC #595); Ted's Restaurant, 16 King Hill Road (PZC #1107): Ward MOVED and Ryan seconded to approve the special permit renewals for the use of live music for Huskies Restaurant, Pub 32 and Ted's Restaurant, until November 1, 2016. The renewals are conditioned upon compliance with the current conditions for each permit, which shall be attached to this motion. The motion passed unanimously.
- B. Special Permit Application, Efficiency Unit, 650 Mansfield City Road, Lance Klase (PZC File #1337): Chandy MOVED and Ryan seconded that the 10/28/15 special permit application for an efficiency unit at 650 Mansfield City Road, submitted by Lance Klase, as described in a submitted statement of use and shown on an aerial depiction of the property, be approved with the following conditions:
1. This approval has been granted for a one-bedroom efficiency unit in association with a single-family home having two additional bedrooms.
 2. The applicant shall submit a signed and notarized copy of the submitted statement of use.
 3. This approval is conditioned upon continued compliance with Mansfield's Zoning Regulations for efficiency units, which include owner-occupancy requirements and limitations on the number of residents in an efficiency unit. Pursuant to Article X, Section L.2, the applicant shall submit a notarized affidavit certifying owner occupancy and a written statement regarding compliance with efficiency unit regulations every two years, starting on January 1, 2018.
 4. The applicant shall construct an appropriate connection from the exterior door of the unit to the driveway.

5. The special permit shall not become effective until it is filed upon the land record by the applicant.

The motion passed unanimously.

New Business:

- A. Paideia Request to Modify Approved Plans for Amphitheater and Exhibit Project, 28 Dog Lane (PZC File #1049-7): Painter reviewed the requested modifications as described in her memo. Ilias Tomazos was present to answer questions on behalf of the applicant. After discussion, Hall MOVED and Chandy seconded to deny the modification request and require a new special permit application. Motion passed unanimously.

Due to impending winter weather, the Commission scheduled a field trip for December 2, 2015 at 3:00 p.m. Given that the second meeting in December is on the 21st, a few days before Christmas, and that a lengthy public hearing is already scheduled for the first meeting in January, the Commission suggested January 19, 2016 as the earliest possible public hearing date for this item.

- B. Request for Acceptance of Wyllys Farm Road and Partial Release of Bond, Beacon Hill Estates Section II Subdivision (PZC File #1214-3): Hall MOVED, Chandy seconded that the Planning & Zoning Commission report to the Town Council that Wyllys Farm Road (Beacon Hill Estates, Section II) is now ready to be accepted as a Town road. Upon Town Council acceptance of this new road, the PZC Chairman, with staff assistance, is authorized to execute a one-year maintenance bond pursuant to regulatory requirements and this action. This action authorizes the PZC Chairman, with staff assistance, to draft revised bonding agreements, which will (1) Provide for a one-year maintenance bond and (2) Assure the completion of the common driveway, the specific amount to be determined by the Assistant Town Engineer, and to release to the developer any funds no longer required for this subdivision. The motion passed unanimously.
- C. Appointment of Deputy Zoning Agents: Lewis MOVED, Ausburger seconded to appoint Benjamin D. Funk, Code Enforcement Officer; Patrick S. Enright, Housing Inspector; and Mark D. Holland, Housing Inspector; as Deputy Zoning Agents for the purpose of enforcing Zoning Regulations related to the use, occupancy and maintenance of dwellings and associated property. The motion passed unanimously.
- D. 2016 Meeting Schedule: Ward MOVED, Ryan seconded to approve the 2016 meeting schedule for the Planning and Zoning Commission with a change in the start time to 6:30 p.m. The motion passed unanimously.

Reports from Officers and Committees:

Painter noted that she would be scheduling a meeting of the Infrastructure Subcommittee for Wednesday, November 18th and a meeting of the Regulatory Review Committee for the week of November 30th. She also indicated that if the first meeting in December agenda is light, draft regulations may be put on the agenda for discussion by the Commission as a whole.

Communications and Bills:

Noted.

Adjournment:

Chairman Goodwin adjourned the meeting at 8:19 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Special Meeting – Field Trip

Wednesday, December 2, 2015

Members present: Jo Ann Goodwin, Bonnie Ryan, Vera S. Ward, Charles Ausburger,
Greg Lewis, Binu Chandy, Paul Aho

Staff present: Linda Painter, Director of Planning

The field trip began at approximately 3:05 p.m.

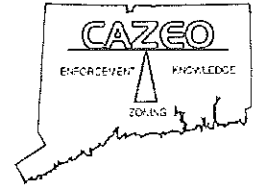
PZC File #1049-7 – Request to Modify Approved Plans for Amphitheater and Exhibit Project, 28 Dog Lane

Members were met onsite by Ilias Tomazos and John Alexopoulos. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 3:35 p.m.



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: December 2, 2015

MONTHLY PERMIT ACTIVITY for November 2015

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Dunkin Donuts	12 Royce Cir.	Identity signage
Natchaug Hospital	189 Storrs Rd.	5' x 20' addition
Mosher	75 Puddin La.	House addition
DiBella	40 Old Wood Rd.	12 x 12 shed
Moran	38 Philip Dr.	deck & house addition
Bank of America	574 Middle Tpke.	identity signage
McDonald	1029 Storrs Rd.	equipment storage

CERTIFICATES OF COMPLIANCE

Westerberg	51 Meadowbrook La.	Shed
Hill	1021 Storrs Rd.	20' x 30' workshop
Stenta	21 Browns Rd.	fire wood storage
Randazzo	105 Chaffeeville Rd.	1 fm dw



Town of Mansfield

Department of Planning and Development

Date: December 3, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Subject: 8-24 Referral
Meadowbrook Lane LLC (owner)
Parcel located on Puddin Lane (Parcel ID Number 33.97.3-39)

Pursuant to the provisions of Section 8-24 of the State Statutes, the above-referenced proposed acquisition of land has been referred to the PZC for comment. The Town Council has scheduled a Public Hearing for December 14, 2015 on this issue, and if possible, comments should be forwarded prior to the Public Hearing. The PZC has 35 days to report to the Town Council. A copy of the Council Agenda Item including a location map is attached for your reference. The following information is provided for the PZC's consideration.

The property being considered by the Town is an undeveloped parcel located in the RAR-90 zone consisting of 61 acres with approximately 330 feet of frontage on Puddin Lane. As shown on the attached map, the parcel will expand the Town-owned Sawmill Brook Preserve, and Joshua's Trust's-owned Wolf Rock Preserve, which combined consist of 223 acres.

The Nipmuck Trail, one of the blue dot trails maintained by the CT Forest and Parks Association, has its southern trail head at the entrance to the property. The Nipmuck trail passes through the subject property before continuing through to Sawmill Brook Preserve, Wolf Rock Preserve and Crane Hill Road. The section of the trail that runs through the property is the last unprotected portion between Puddin Lane and Crane Hill Road.

The parcel was reviewed by the Open Space Preservation Committee on January 5, 2015 (see attached report). The committee recommended preservation of this parcel based on the Open Space Acquisition Criteria identified in Appendix K of the 2006 Town Plan of Conservation and Development, which are consistent with the Open Space Evaluation Criteria identified in Appendix C of the 2015 Mansfield Tomorrow Plan of Conservation and Development. Preservation of this property would:

- Expand an existing preserved open space area
- Protect the Nipmuck Trail, which is an existing state designated greenway
- Protect 61 acres located within a large contiguous interior forest area
- Protect significant conservation and wildlife resource in the form of the Kidder-Sawmill Brook streambelt
- Protect a portion of Sawmill Brook, a significant water resource

Summary/Recommendation

Based on open space evaluation criteria contained in the Mansfield Tomorrow Plan of Conservation and Development, Town acquisition of the subject property would promote goals set forth in Mansfield's Plan of Conservation and Development. It is recommended **that the PZC notify the Town Council that the proposed acquisition of the Meadowbrook Lane, LLC Property would promote Mansfield's Plan of Conservation and Development by expanding an existing preserved open space area, protecting the Nipmuck Trail, which is an existing state designated greenway, protecting 61 acres located within a large contiguous interior forest area, protecting significant conservation and wildlife resource in the form of the Kidder-Sawmill Brook streambelt, and protecting a portion of Sawmill Brook, a significant water resource.**

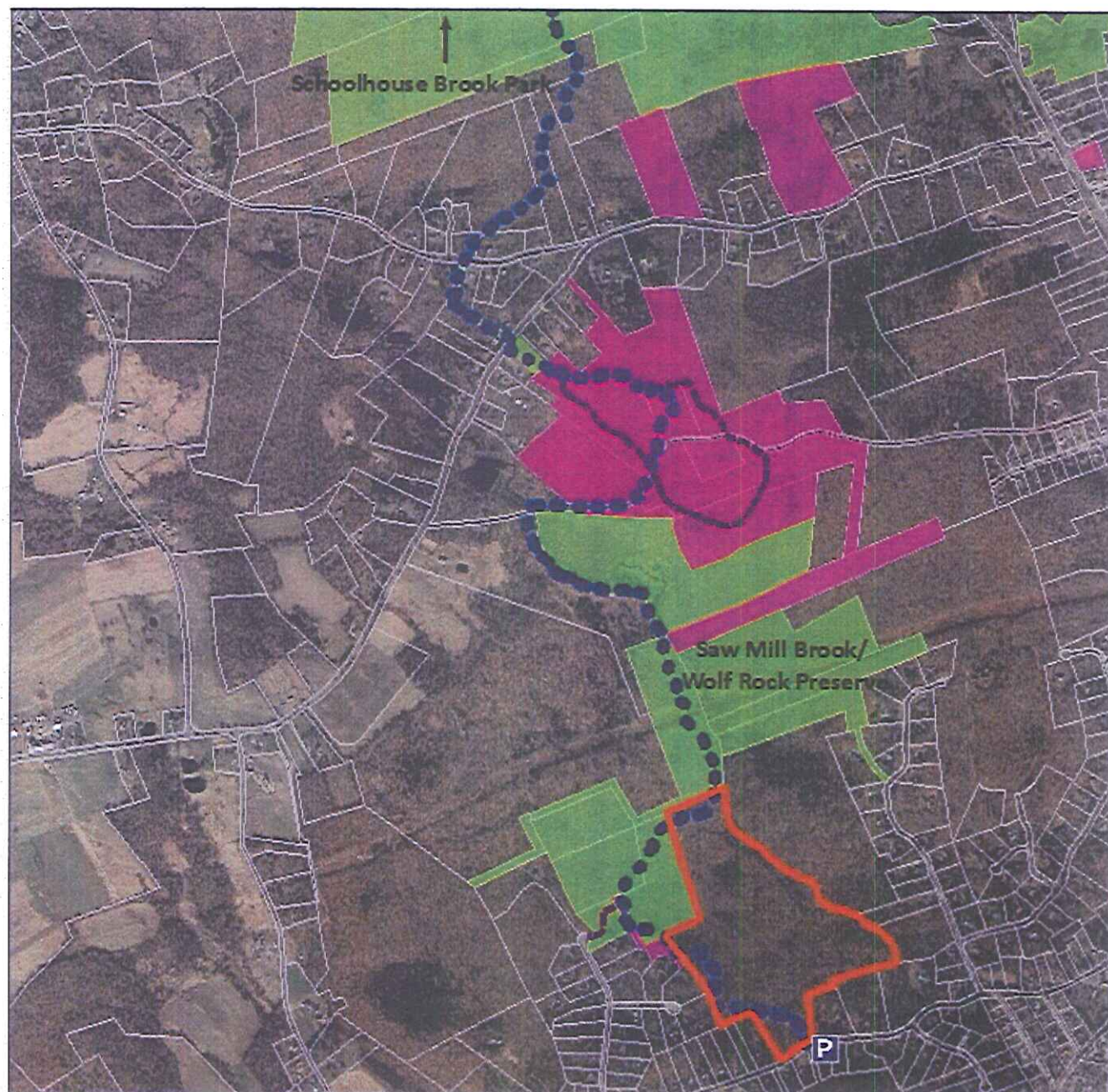
Meadowbrook Lane LLC Property
Trails and Continuous Open Space
Parcel 33.97.3-39
Puddin Lane
Mansfield, CT
February 25, 2015



-  Subject Property
-  Town of Mansfield
-  Joshua's Trust
-  Nipmuck Trail
-  Joshua's Trust Trail
-  Parking

Source: Town of Mansfield

1,600 800 0 1,600 Feet



MEMORANDUM

Town of Mansfield
Town Manager's Office
4 So. Eagleville Rd., Mansfield, CT 06268
860-429-3336
Hartmw@mansfieldct.org



To: Planning and Zoning Commission
CC: Linda Painter, Director of Planning and Development
From: Matt Hart, Town Manager
Date: December 2, 2015
Re: Referral: Open Space Acquisition, Meadowbrook Lane, LLC Property

Please see the attached information regarding the above captioned matter. Please review and comment on the proposal, pursuant to your authority under Connecticut General Statutes Section 8-24.

Your assistance with this matter is greatly appreciated.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Jennifer Kaufman, Natural Resources and Sustainability Coordinator; Linda Painter, Director of Planning and Development; and Curt Vincente, Director of Parks and Recreation
Date: November 23, 2015
Re: Open Space Acquisition, Meadowbrook Lane, LLC Property

Subject Matter/Background

In March 2015, the Town Council authorized staff to submit a grant to the CT Department of Energy and Environmental Protection's (CT DEEP) Open Space and Watershed Lands Protection Program to purchase a 61-acre parcel on Puddin Lane known as the Meadowbrook Lane LLC property (Parcel ID 33.97.3-39). In October 2015 the Town was awarded the grant.

The Meadowbrook Lane LLC property connects with Sawmill Brook Preserve and eventually leads to Joshua's Trust's Wolf Rock Preserve. All combined, the property abuts 223 acres of Town-owned and Joshua's Trust land, much of which is permanently preserved (see attached map). The Nipmuck Trail, one of the blue dot trails maintained by the CT Forest and Parks Association, has its southern trail head at the entrance to the property, with an informal parking area for 5-6 cars. The Nipmuck Trail is an official CT Greenway and passes through the subject property before continuing through a protected corridor to Wolf Rock Preserve and Crane Hill Road. The section of the Nipmuck that runs through the property is the last unprotected portion between Puddin Lane and Crane Hill Road.

The parcel was reviewed by the Open Space Preservation Committee on January 5, 2015. The committee recommends preservation of the Meadow Brook Lane LLC property to protect the following significant recreation, conservation and wildlife resources:

- Sawmill Brook watershed and tributary brook
- Part of a large interior forest tract
- Habitat for wildlife requiring interior forests
- Corridor for the Nipmuck Trail Greenway

The Conservation Commission and Parks Advisory Committee have also reviewed this property and are in full support of the proposed acquisition. The full Open Space Preservation Committee report and memos from the Parks Advisory Committee and Conservation Commission are attached.

Per the requirements of the grant, the Town obtained two appraisals for the property. One appraiser valued the property at \$360,000 and the other at \$375,000. Excerpts of the appraisals are attached and the full appraisal reports can be reviewed at www.mansfieldct.org/meadowbrooklane.

Based on the appraisals staff negotiated a price of \$375,000 for the property. If purchased, the Town will be reimbursed \$243,750 or 65% of the purchase price from CT DEEP. Based on guidance I received from the Town Council in executive session, I have executed the attached purchase and sale agreement. The purchase is contingent upon approval of the Town Council after a public hearing.

As of October 1, 2014, our Assessor estimates the full value of this property to be \$305,000. However, the property is currently in PA 490 and in 2014 the property was assessed at \$8,400 annually. Property taxes collected in 2014 totaled \$234.78

Staff has contacted both Joshua's Trust and CT Forest and Parks Association (CFPA) to request that they consider making a financial contribution to the purchase of this property. The CFPA board of directors is meeting to consider this issue on December 18, 2015.

Financial Impact

The cost of the Town's portion of the property acquisition (\$131,250) would be financed through the Town's existing Open Space Acquisition Fund, which has a current balance of \$1,091,672. If the Town acquires the property, it would be responsible for preparing an A-2 survey. Costs for this survey are estimated at \$15,000 and would also be funded from the Town's Open Space Acquisition Fund. In addition, the Town would need to make some parking area improvements and purchase a park sign; these costs are estimated at \$7,500. Typical stewardship costs for a nature-based park are approximately \$1,500 per year. Some of these annual management costs will be shared with the CT Forest and Parks Association, the organization that is responsible for maintaining the Nipmuck Trail.

Recommendation

In order to proceed with the acquisition, staff recommends that the Town Council schedule a public hearing for its December 14, 2015 meeting and refer this item to the Planning and Zoning Commission for review pursuant to section 8-24 of the Connecticut General Statutes.

If the Town Council supports this recommendation, the following motion is in order:

Move, to schedule a public hearing for 7:30 p.m. at the Town Council's regular meeting on December 14, 2015 to solicit public comment on the proposed acquisition of the 61-acre parcel on Puddin Lane known as the Meadowbrook Lane LLC property (Parcel ID 33.97.3-39) and to refer the acquisition to the Planning and Zoning Commission for review pursuant to section 8-24 of the Connecticut General Statutes.

Attachments

- 1) Purchase and Sale Agreement
- 2) Open Space Preservation Committee Report
- 3) Map of Meadowbrook Lane LLC Property
- 4) Grant Award Letter
- 5) Planning, Acquisition, and Management Guidelines for Mansfield Open Space, Park, Recreation, Agricultural Properties and Conservation Easements

CONTRACT OF PURCHASE AND SALE

THIS AGREEMENT, made this 18th of November, 2015, between TOWN OF MANSFIELD hereinafter "BUYER") a municipal corporation organized and existing pursuant to the laws of the State of Connecticut, and Meadowbrook Lane LLC a Connecticut Limited Liability Company with its office at 25 Church Street, P.O. Box 44 Willimantic Connecticut(hereinafter "SELLER")

Subject to the terms and conditions hereof, the Seller agree to sell and convey and the Buyer agrees to purchase the real estate with all the improvements if any located thereon, situated in the Town of Mansfield, County of Tolland and State of Connecticut, consisting of approximately 61 acres of land with approximately 390 feet of frontage on Puddin Lane, south of the land owned by the Town of Mansfield known as Sawmill Brook Preserve, and being shown on the Assessor's Maps as Map 33, Block 97, Lot 3-39 (hereinafter "Premises").

FIXTURES AND PERSONAL PROPERTY - None

PRICE

The purchase price is THREE HUNDRED AND SEVENTY FIVE THOUSAND AND 00/100 DOLLARS (\$375, 000.00) DOLLARS which shall be payable as follows:

(a) A deposit of FIVE HUNDRED (\$500.00) DOLLARS which deposit shall be held in escrow without interest by Buyer's attorney until the transfer of title;

(b) Payment of an additional THREE HUNDRED AND SEVENTY FOUR THOUSAND FIVE HUNDRED (\$374,500.00) DOLLARS at the closing.

MORTGAGE CONTINGENCY: None.

DEED

The deed shall be a Connecticut form of Warranty Deed, in proper form to convey marketable title, and shall be delivered to the Buyer at the closing together with the necessary amount of the Connecticut real estate conveyance tax, if any. Seller shall also provide such title affidavits, lien releases, etc. as may be reasonably required by any title insurance company issuing a title policy regarding the Premises. When conveyed the premises shall be free of all encumbrances, except as follows:

- (a) Any and all provisions of any ordinance, governmental regulation, public or private law, including any applicable building and zoning laws in effect;
- (b) Current real estate taxes which shall be adjusted between the parties as hereinafter provided;
- (c) Any liens for municipal betterments assessed after date of this agreement;
- (d) Easements, liens, restrictions, covenants, declarations, encroachments or matters of record;
- (e) Any state of facts an accurate survey or personal inspection of property might reveal.
- (f) The deed shall contain a restriction that the Grantee its successors and assigns shall hold use and keep the Property in its natural and open condition for the purposes of conservation and open space, and to be used by the general public as natural open space recreation. The Grantor understands and agrees that the Grantee will be granting a permanent conservation easement to the State of Connecticut which easement shall, when granted and recorded, satisfy this condition in the deed.

CLOSING DATE

The closing shall take place at the offices of the Buyer on or before March 1, 2016. In the

event that a closing has not occurred on or before March 1, 2016, this Agreement shall terminate unless otherwise extended by mutual agreement of the parties. In such event, any deposit paid hereunder shall be returned to Buyer and each party shall be relieved of any obligation to the other pursuant to this Agreement.

DEFECTS IN TITLE

Buyer shall have the right to search and inspect the record title to the Premises. If the Seller shall be unable to convey the required marketable title to the Buyer by the closing date, Sellers shall have a period of thirty (30) days after notice of any defect in the title to cure any defects in title and within five (5) days after the correction thereof or the closing date, whichever is later, the Buyer shall purchase the premises as herein provided, If the Sellers cannot cure any defects in title within said thirty (30) day period, the Buyer shall, within fifteen (15) days hereafter, have the option either to accept such title as the Sellers can convey and purchase the premises as herein provided or to rescind this contract. If the Buyer rescinds, all sums advanced hereunder shall be returned to the Buyer, without interest thereon, and upon receipt of such payments, this contract shall terminate and each party hereto shall be forever released and discharged of all further claims and obligations hereunder. The "Standards of Title" as published by the Connecticut Bar Association shall control any questions relating to defects in title to the premises.

ADJUSTMENTS

At the time of closing real estate taxes shall be adjusted and apportioned in cash between Buyer and Sellers in accordance with the standard practice of the Bar Association where the property is located.

OCCUPANCY

Seller shall deliver occupancy to Buyer at the closing, the Premises being in the same state and conditions as it is as of the date of this Agreement.

RISK OF LOSS

Risk of loss or damages to the Premises shall be upon Seller until the closing.

PROPERTY DISCLOSURE REPORT – N/A

DAMAGE FOR DEFAULT

In the event that the Buyer shall fail to make the payment required hereon or shall in any way be in default of the performance of the terms hereof, the Seller shall have the option of terminating this Agreement and in such event all sums paid hereunder by the Buyer shall be retained by the Sellers as liquidated damages. In the event that the Seller shall in any way be in default of the performance of the terms hereof, the Buyer shall be entitled to return of its deposit or may bring an action for specific performance of this Agreement, in its sole discretion.

CONDITION OF PROPERTY

Buyer acknowledges that Buyer is relying on its own examination and inspection of the physical condition of the Property and all matters relating thereto, including without limitation, matters with respect to taxes, permissible uses, zoning, covenants, conditions and restrictions and all other matters bearing upon the value of the Property and the suitability of the Property for Buyer's purposes, and except as expressly set forth in this Agreement, that Buyer is not relying on any representations of Seller or Seller's agents, and Buyer expressly waives any claim that is based upon an alleged representation of Seller or Seller's agents, and Buyer shall accept the Property in its "as is" condition at closing. Except as expressly set forth in this Agreement,

Buyer shall assume, as of closing, the responsibility for, and risk of, all defects and conditions of the Property, including any defects and conditions that cannot be observed by casual inspection.

Buyer has the right to have the inspections below performed on the Property. Buyer must arrange and pay for all tests and inspections. Buyer must give Seller written notice of any inspection that does not meet the standards set forth below, together with a copy of all the inspection reports, on or before thirty (30) days following the execution of this contract by Buyer and Seller as set forth below. Seller hereby grants Buyer, its agents, employees and contractors, access to the Premises for the purpose of conducting said inspections. If Buyer does not give Seller such notice, Seller shall have no responsibility or obligation concerning any condition to which this paragraph applies.

If an inspection report given by Buyer to Seller on or before 30 days from the execution date reveals that the Property does not meet the terms set forth below, and Seller and Buyer cannot reach a mutually satisfactory agreement to meet such terms, then Buyer or Seller may terminate this Agreement by giving the other written notice of termination. If Buyer or Seller terminates this Contract pursuant to their rights under this paragraph, Buyer shall receive all deposited sums and the obligations of the parties under this contract shall end.

REAL ESTATE BROKER

The Buyer and Seller represent each to the other that neither Buyer nor Seller has engaged the services of a real estate broker. In the event that any real estate broker claims a commission from either party on account of having dealt with the other party, the party which is found to have dealt with the real estate broker shall hold the other party harmless from all costs, expenses and attorney's fees incurred by such party in resisting or defending such claims and such party shall

pay any judgment rendered against the non-culpable party on account of such commission claim.

DEFINITIONS

References in this instrument to the masculine or feminine gender shall, where appropriate, include the opposite or neuter gender. References to the plural shall, where appropriate, include the singular and references to the singular shall, where appropriate, include the plural.

BINDING EFFECT

The terms and conditions hereof set forth shall be binding upon and inure to the benefit of, the respective parties hereto as well as upon their heirs, executors and administrators.

SURVIVAL OF TERMS

Where applicable, all the terms and conditions and agreements contained herein shall survive the passage of title from Sellers to Buyer.

CONTINGENCIES

1. This Agreement is subject to the approval (including but not limited to approval of the Town Council after a public hearing and the Planning and Zoning Commission pursuant to the Connecticut General Statutes) of Buyer, and is subject to the requirements of the Town of Mansfield Charter and the statutes of the State of Connecticut. Said approvals shall be obtained on or before the closing of title. In the event that Buyer fails to obtain said approval within said time period, the parties may mutually agree to extend the approval period, or in the event that they do not so agree, this Agreement may be terminated by either party and shall render the Agreement null and void and all deposits shall be

returned to Buyer.


2. Subject to approval of and the conditions of the CT Department of Energy and Environmental Protection Open Space and Watershed Grant Program and receipt of the appropriate funding from said program.

RECORDING

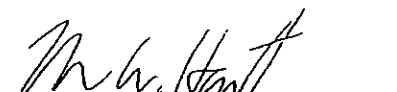
Buyer agrees that he shall not record this Agreement in the Land Records of the Town of Mansfield. In the event Buyer violates this provision and does record this Agreement, the act of such recording shall be deemed to be a default hereunder and shall render this contract terminated and null and void at the option of the Seller.

IN WITNESS WHEREOF, We have hereunto set our hands and seals on the 18th day of November 2015.

SELLER:


MEADOWBROOK LANE, LLC
Giacomo J. Guarnaccia, Manager

BUYER:


TOWN OF MANSFIELD
MATTHEW W. HART
TOWN MANAGER

V:\JACK\Meadow brook lane llc\sale 2015\FINAL Purchase and Sale Guarnaccia doc.doc

Memo

To: Town Council
From: Open Space Preservation Committee
Date: January 7, 2015
Re: Meadow Brook Lane LLC Property, Puddin Lane (Parcel ID 33.97.3-39)

At its meeting of January 5, 2015 the Open Space Preservation Committee reviewed the Meadowbrook Lane LLC Property.

Description

The proposed area for preservation is a 61-acre property with approximately 395 feet of frontage on Puddin Lane (Parcel ID 33.97.3-39). The property slopes down to Sawmill Brook, which forms the eastern boundary. A seasonal brook bisects the property. West of the brook lie irregular ridges. East of this brook, a relatively flat area extends to Sawmill Brook. The property appears to have been logged about 30 years ago, and is currently forested in second growth oak, hickory, and beech trees. There are no major invasive plant infestations. Abutting on the north side is Town-owned land (Sawmill Brook Preserve) and Joshua's Trust Land (Wolf Rock Preserve).

Town Plan Criteria

The property meets the following criteria in the 2006 Town Plan of Conservation and Development. These criteria are consistent with the Open Space Acquisition Criteria in the Public Hearing Draft of the Mansfield Tomorrow Plan of Conservation and Development.

Significant Conservation and Wildlife Resources

A section of Sawmill Brook, which forms the property's east boundary, has a series of islands, cascades, and pools, which offer a scenic setting and possible habitat for native brook trout.

Wildlife Habitat

The property is part of a large forest tract and provides habitat for interior forest wildlife

Forestry Land

The property is in an area designated as a priority interior forest tract. A large part of this forest tract has already been preserved (see map). This is a potential for future timber harvests in 20 to 30 years.

Surface Water Resource

This property contains a significant portion of the Sawmill Brook watershed, between Puddin Lane and Crane Hill Road, and a tributary brook crosses the property. Portions of Sawmill Brook are already protected.

Connections

The Nipmuck Trail, one of the blue dot trails maintained by the CT Forest and Parks Association, has its southern trail head at the entrance to the property, with an informal parking area for 5-6 cars. This trail is an official CT Greenway. The trail passes through the subject property before continuing through a protected corridor to Wolf Rock Preserve and Crane Hill Road. The section of the trail that runs through the property is the last unprotected portion between Puddin Lane and Crane Hill Road. The Trail currently follows the west boundary of this property near homes on Jacobs Hill Road. Preserving this property would make it possible to move the trail away from these houses. Note that there is a white dot trail connecting the Nipmuck Trail to the end of Jacobs Hill Road.

Recommendation

The Open Space Preservation Committee recommends that the Town Council consider preservation of the Meadow Brook Lane LLC property to protect the following significant recreation, conservation and wildlife resources:

- Sawmill Brook watershed and tributary brook
- Part of a large interior forest tract
- Habitat for wildlife requiring interior forests
- Corridor for the Nipmuck Trail Greenway

Potential Improvements

The CT Forest and Parks Association maintains the Nipmuck Trail but the Town should consider minimal widening of the parking area to provide for safer (not more) parking access.

Potential Cost Sharing

The property would meet the requirement for a CT DEEP Open Space and Watershed Land Acquisition Grant matching grant (up to 65% cost share).

Partners

Staff has contacted both Joshua's Trust and CT Forest and Parks Association to request that they consider making a financial contribution to the purchase of this property.

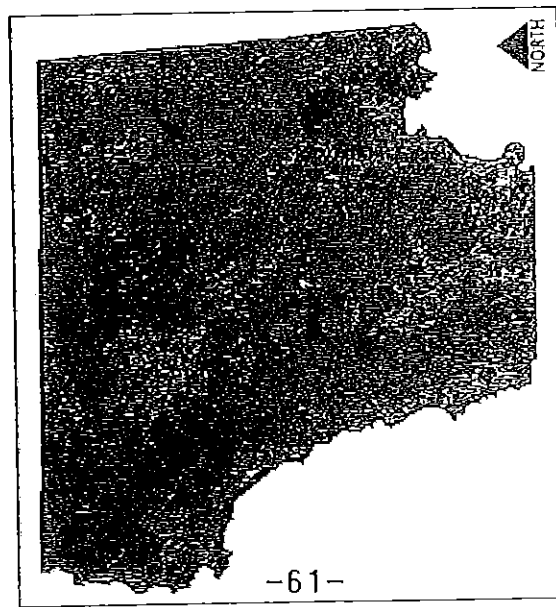
Meadowbrook Lane LLC Property
Trails and Continuous Open Space

Parcel 33.97.3-39







Puddin Lane

Mansfield, CT

February 25, 2015

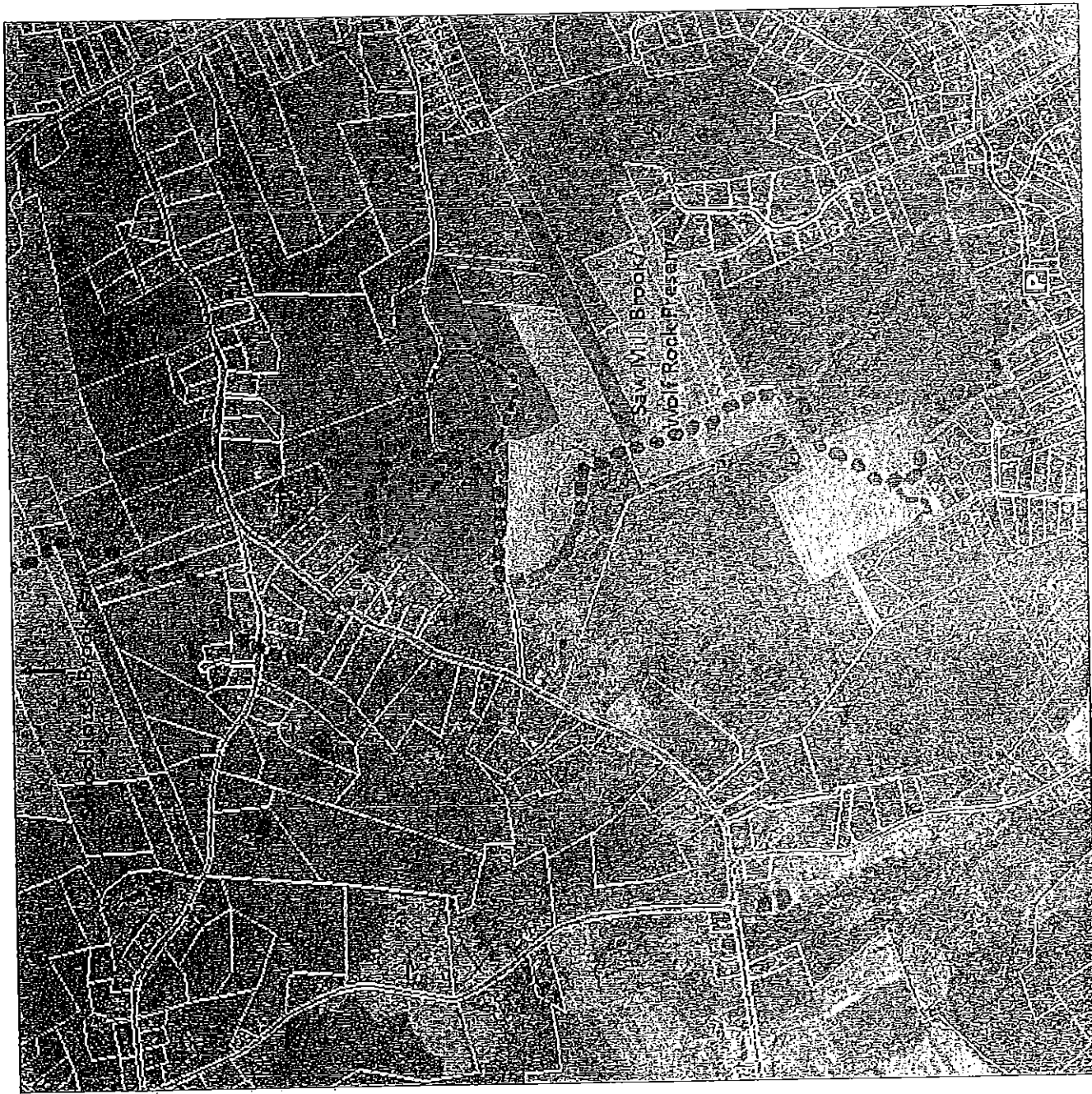


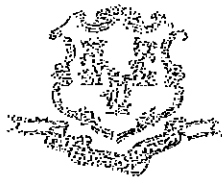
-61-

-  Subject Property
-  Town of Mansfield
-  Joshua's Trust
-  Nipmuck Trail
-  Joshua's Trust Trail
-  Parking

Source: Town of Mansfield

1,600 800 0 1,600 Feet





Dannel P. Malloy

GOVERNOR
STATE OF CONNECTICUT

October 16, 2015

Matthew W. Hart, Town Manager
Town of Mansfield
4 South Eagleville Road
Mansfield, CT 06268

Dear Mr. Hart:

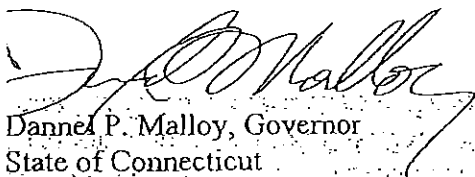
We are pleased to inform you that your proposed acquisition of the Meadowbrook Lane in the Town of Mansfield was approved for funding under the State of Connecticut's Open Space and Watershed Land Acquisition Program.

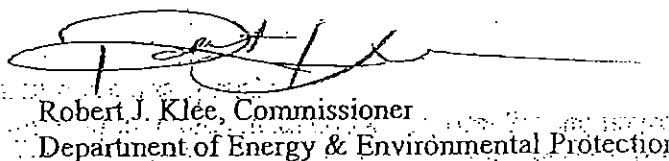
The Open Space and Watershed Land Acquisition Program is administered by the Department of Energy and Environmental Protection (DEEP). Your application has been reviewed and approved for an amount not to exceed \$243,750. You will receive written instructions and background materials from DEEP on the next steps in the grant award process shortly.

The final grant award will be based on verification of all material facts contained in the grant application and execution of an Open Space and Watershed Land Acquisition Grant Agreement, containing such terms as are acceptable to the Commissioner, in his sole discretion, and which conform to requirements of Section 7-131d of the General Statutes.

We look forward to partnering with you to preserve this important and valuable open space parcel. The Open Space and Watershed Land Acquisition Program ensures that the quality of life and natural resources we all enjoy will be protected now and for future generations. If you have any questions, please call David Stygar at the DEEP Office of Constituent Affairs/Land Management at (860) 424-3016.

Sincerely,


Dannel P. Malloy, Governor
State of Connecticut


Robert J. Klee, Commissioner
Department of Energy & Environmental Protection

Planning, Acquisition, and Management Guidelines for Mansfield Open Space, Park, Recreation, Agricultural Properties and Conservation Easements

(Approved by Mansfield Town Council Nov. 13, 1995, revisions approved Aug. 25, 1997 and August 24, 2009)

Background

This document serves to guide the Town of Mansfield as it plans, acquires and manages the following:

- Open space, park, and recreation areas
- Agricultural properties
- Open space acquired as a result of subdivision, as appropriate
- Conservation easements

I Planning

- A. The Planning and Zoning Commission (PZC) has a statutory responsibility to periodically review and update the Town's Plan of Conservation and Development (POCD), including open space, recreation and agricultural elements. Appendix J of the 2006 POCD contains a listing of Significant Conservation and Wildlife Resources. Appendix K contains the Open Space Acquisition Priority Criteria. These pertinent sections of the POCD are contained in Attachment A.
- B. The Town Council, Conservation Commission, Agriculture Committee, Open Space Preservation Committee, Parks Advisory Committee, Recreation Advisory Committee, Historical Society, various staff members and the public shall directly assist the PZC with its review and updating of the POCD. Interim studies and reports shall be encouraged on specific areas of Town and on various aspects of local goals to promote recreational opportunities and to protect and enhance valuable natural, agricultural or historic resources.
- C. The PZC and Inland Wetland Agency periodically shall review and update land use regulations to help implement community goals and objectives regarding the protection and enhancement of natural, agricultural, historic and recreational resources.
- D. The Town Council shall consider on an annual basis the allocation of funds and taxation policies to help implement community goals regarding the protection and enhancement of natural, agricultural, historic and recreational resources.

II Acquisition

A. Planning and Zoning Commission/Inland Wetlands Agency (IWA) Application/Approval Process

The Town Manager is authorized to receive for the Town any open space/conservation easement acquisition approved by the PZC/IWA application process. However, in the event that the Town Council disagrees with PZC/IWA recommendation for the proposed acquisition, the Town Manager is not authorized to accept the acquisition without specific Town Council authorization. Before acting however, the Town Council will provide PZC/IWA the opportunity to justify their recommendation.

1. The procedure for reviewing open space/conservation easement acquisitions associated with the PZC application/approval process is detailed below.
2. Proposed open space/conservation easements associated with the PZC application/approval process shall be referred for comment to the Open Space Preservation Committee, the Town Council, the Conservation Commission, and as appropriate, the Parks Advisory Committee, the Recreation Advisory Committee, and the Agriculture Committee.
3. Proposed open space/conservation easements associated with the PZC application/approval process shall be evaluated by taking into account site and neighborhood characteristics, the proposed development layout, natural, historic, cultural and scenic resource information, and priority criteria contained in Mansfield's POCD and regulatory provisions.
4. Comments from committees shall be forwarded to the PZC/IWA and the Town Council. As deemed necessary, the PZC/IWA and/or the Town Council may obtain expert advice to address management concerns and potential liabilities.
5. Any Town Council comments or recommendations, including any obtained expert advice, shall be forwarded to PZC/IWA in association with the application review process.
6. If a public hearing is held as part of the PZC/IWA application process, committee and Town Council comments shall be submitted prior to the close of the public hearing.

B. Other potential open space acquisitions

1. Step I-Committee Reviews

In response to a Town Council or staff referral or a committee initiative, the Open Space Preservation Committee shall conduct preliminary reviews of potential acquisitions and/or conservation easements. Potential acquisitions shall be evaluated based on resource information and priority criteria contained in Mansfield's POCD. As deemed appropriate, property owners shall be contacted, sites shall be visited and the Town's other land use commissions and committees shall be consulted. Available properties worthy of further consideration shall be referred to the Town Council with a background report. Said report shall identify important site characteristics and potential benefits. In addition, potential liabilities and management concerns, including anticipated maintenance and improvement costs, shall be noted.

2 Step II-Town Council Review

The Town Council shall review the Open Space Preservation Committee report. In instances where deemed necessary to maintain the confidentiality of the transaction, the Open Space Preservation Committee report shall be discussed in executive session. As deemed appropriate, the Town Council shall take a field trip to the site. Where multiple properties are being reviewed, the Town Council may schedule a meeting (in executive session when necessary) with the Open Space Preservation Committee to consider priorities.

3.. Step III-Negotiations, Grant Applications

After evaluation of site characteristics, potential benefits and management needs, the Town Council shall authorize the Town Manager to begin preliminary negotiations with property owners of land deemed suitable for further consideration. If appropriate, and if grant funds are available, the Town Manager shall direct staff to complete a grant application to subsidize the purchase of the identified property.

4. Step IV-Appraisals, Consultants

Depending on preliminary negotiations, the Town Council may authorize the Town Manager to hire a real estate appraiser to prepare an opinion of value or appraisal report for potential properties or portions of said property. In addition, the Town Council may authorize the Town Manager to retain other expert advice to inform the Council on other management concerns and/or potential liabilities.

5 Step V-Purchase Agreements

Subject to Town Council authorization, the Town Manager may negotiate and execute purchase agreements for potential acquisitions. Said purchase agreements shall be conditional upon final approval by the Town Council, following a Public Hearing. As appropriate, the Town Manager may utilize specialists, such as the Trust for Public Land, to negotiate and facilitate agreements.

6. Step VI-Public Hearing

The Town Council shall hold a Public Hearing to receive public comment regarding a proposed purchase. Prior to the Public Hearing, neighboring property owners shall be notified by staff and, in situations where a referral has not yet taken place, the proposed purchase shall be referred to the PZC pursuant to Section 8-24 C.G.S.

7.. Step VII-Town Council Vote

Following the Public Hearing, the Town Council shall vote on whether to acquire the subject property.

8 Step VIII-Property Preparation

After the Town Council votes to acquire the property, and before a management plan is approved, Town Staff, relevant committee members and other volunteers shall take appropriate steps to prepare the property for Town ownership. These steps may include, but are not limited to:

- Gathering information from abutters regarding management issues/concerns
- Creating safe access
- Surveying land and marking boundaries, if appropriate
- Developing a map including boundary information, existing notable features such as trails, waterways, buildings and vistas

C. Sale of Town-owned Properties

In general, it is the Town's policy not to sell land or conservation restrictions acquired by the Town through purchase, donation or as a result of a PZC/IWA subdivision application process. In some instances, a deed restriction may prevent the Town from selling Town-owned land. In the unusual instances where Town lands and easements may be transferred to private ownership, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed sale. In addition, staff shall notify neighboring property owners of the proposed sale.

D. Leasing of Town-owned Properties

1. Agricultural Land

The policy goals of the Town 2006 POCD encourage sustainable agricultural land use, and the conservation and preservation of Mansfield's agricultural resources (p.4). For this reason, when the Town acquires farmland or land with prime agriculture soils, it is Town policy that this land be actively farmed. When the Town initiates an agricultural lease of Town property, there shall be a formal "Request for Agricultural Services." The Town shall publish a legal notice requesting sealed proposals no less than 10 days prior to the date the proposals are due. The Town Manager, with advice from the Agriculture Committee, shall be responsible for selecting the services rendered and for monitoring the leases. A sample lease for Town-owned agricultural land is contained as Attachment B.

2. Other Land

In instances where an individual requests to lease Town-owned property, this request shall be referred to the Open Space Preservation Committee and any other relevant committee to review. In general, it is the Town's policy to lease only Town-owned agricultural lands. In the rare instance when the Town agrees to lease other Town-owned land to a private party, clear benefit to the Town must be demonstrated. In these instances, the Town Council shall refer the property to PZC pursuant to Section 8-24 of the Connecticut General Statutes, and hold a Public Hearing to receive public comment regarding the proposed lease. In addition, staff shall notify neighboring property owners of the proposed lease.

III Managing Town Parks, Preserves, Open Space and Agricultural Land

A. Step I-Management Plan Assignments

The Town Manager, with the advice of committees and Town staff, shall assign the support role of a draft management plan to the appropriate Town staff, with input from appropriate committees.

As a general rule, the preparation of a draft management plan shall be a coordinated effort involving the Conservation Commission, Agriculture Committee, Parks Advisory Committee, Recreation Advisory Committee, Open Space Preservation Committee, Town staff, and, as appropriate, the PZC, Inland Wetland Agency and Beautification Committee. Responsibility for preparing a written draft management plan will be as follows:

- 1) The Conservation Commission shall provide input for draft management plans for undeveloped open space areas;
- 2) The Agriculture Committee shall provide input for draft management plans for properties with existing or proposed agricultural or horticultural uses;
- 3) The Parks Advisory Committee shall provide input for draft management plans for existing or proposed park areas with trails, community gardens or other recreational facilities;
- 4) The Recreation Advisory Committee shall provide input for draft management plans for properties with existing or proposed playgrounds or athletic fields.
- 5) The Open Space Preservation Committee shall provide input for draft management plans for properties with special characteristics reviewed during the acquisition process.

B. Step II-Drafting the Management Plan

1) Format

Management plans shall be prepared utilizing the general format contained in Attachment C. Each plan shall summarize the information gathered and presented during the acquisition process. In addition, the management plan shall document important site characteristics, concerns, and goals for the use of the property as well as recommended management and monitoring actions.

2) Invasive Species

Pursuant to Mansfield's Non-Native Invasive Species Policy (included as Attachment D) adopted on the staff level after briefing the Town Council at their 11/22/04 meeting, management plans shall include the development and implementation of an invasives control plan and prohibit the use of species banned by Public Act 04-203 of the State of Connecticut, with any subsequent revisions.

3) Fiscal Notes and Budget Considerations

Fiscal notes estimating the costs associated with managing the property shall be included as an attachment to the management plan. These fiscal notes shall serve to guide the Town

Council and committee members as to *estimated* projected costs associated with implementing the management plan. More precise cost estimates shall be prepared annually for budget consideration by the Town Manager and Town Council as part of the annual Capitol Improvement Budget. When available, sources of grant assistance shall be investigated and grant applications shall be prepared by staff to implement goals and objectives stated in the management plan.

4) Naming the Property

The proposed name of the property shall be included in the draft management plan. In general, the Town of Mansfield shall name properties after a significant natural or historic feature. In some instances, it shall be deemed appropriate by the advisory committees, the Town Council, the PZC or staff to name a property in a different manner. Naming of properties after a person shall be limited to those properties that have been donated to the Town or made a specific condition of acquisition. In all cases, the Town Council, with advice from advisory committees and the PZC, shall make the final decision regarding the name of the property.

C. Step III-Staff and Committee Review

Staff shall provide comment and circulate the draft management plan to appropriate committees for final review before an abutters' review and public comment.

D. Step IV-Abutters' Review

After the preparation of a draft management plan or significant changes in a plan, the responsible staff member or committee member shall notify abutting property owners and schedule an abutters' meeting to provide opportunity for neighborhood comment.

E. Step V-Town Council Review

The Town Council shall review draft management plans or significant changes in a plan and, as deemed appropriate obtain additional information from the Town's various land use commissions/committees and staff. The Town Council may choose to hold a Public Hearing to receive public input to the plan.

F. Step VI-Town Council Approval

The Town Council shall approve a new management plan or significant changes to an existing plan for Town-owned properties.

G. Step VII-Implementation

Implementing management plans shall be a coordinated effort among Town staff, advisory committee members, and volunteer stewards. Implementation shall be coordinated through the Parks and Recreation Department but may include staff from various other Town departments including the Department of Public Works, Planning Department, etc.

Plan implementation may include but will not be limited to:

- Structural improvements for public access and safety (such as establishing a parking area, constructing trails, improving wheelchair accessibility)
- Ecological management (such as inventorying natural resources, managing and controlling invasive species, encouraging native habitats, improving wildlife habitat)
- Maintenance of parking areas, signage, and boundary markers
- Monitoring of plan goals and objectives to ensure effective implementation
- Public outreach including public information and interpretive guides and maps, and use for education and research

H. Step VIII-Monitoring

Site conditions, including any new improvements, shall be monitored in accordance with the schedule established in the approved management plan by staff or appropriate volunteers. Any problems or issues uncovered shall be reviewed by staff and the commission /committee members that assisted in the preparation of the management plan. As appropriate, problems or issues shall be referred to the Town Council.

I. Step IX-Management Plan Update

The management plan(s) shall be updated as per the approved schedule or as often as deemed necessary by the Town Council or by the commissions/committees.

IV Management of Conservation or Agricultural Easements

A specific management plan is not needed for conservation or agricultural easements unless public access, trails or other municipal interests not adequately addressed in the easement are involved. If a management plan is appropriate, a draft shall be prepared, using the steps detailed in Section III of these guidelines. The Conservation Commission, with staff assistance, shall be responsible for periodically monitoring Mansfield's existing Conservation Easements. **Attachment E** contains a Conservation Easement Abstract and Monitoring/Inspection Form. The Agriculture Committee, with staff assistance, shall be responsible for periodically monitoring any agricultural easements.

Problems or issues uncovered shall be reviewed with staff. As appropriate, problems or issues shall be referred to the Town Council, PZC, or Inland Wetland Agency, depending on the specific easement document.

Attachment A
Pertinent Documents from the 2006 POCD

APPENDIX K-OPEN SPACE ACQUISITION PRIORITY CRITERIA

The following open space acquisition criteria, are provided to assist in the evaluation of potential sites for additional preserved open space. All open space acquisition decisions should be based on a comprehensive review of specific site characteristics, information contained or referenced in this Plan and information obtained through an active public notice and review process. The listed criteria are not weighted to help establish priorities, but in general, sites that address multiple primary categories or that would be of town-wide significance in addressing a goal or objective of this Plan would have a higher priority than sites that address fewer primary categories or do not have Townwide significance. It also is noted that land availability, acquisition costs and budgetary priorities will also significantly influence open space acquisition decisions.

1. Identified or specifically referenced as a potential conservation, preservation or recreational area within Mansfield's Plan of Conservation and Development, the WINCOG Regional Land Use Plan or the Connecticut Policies Plan for Conservation and Development
 - Identified as a potential conservation area on Map 21
 - Identified as within one of Mansfield's significant conservation and wildlife resource areas in Appendix J
2. Conserves or preserves historic or archaeological resources
 - Site is located within or adjacent to a Plan-identified village area (see Map #5)
 - Site contains historic structures, sites or features including, but not limited to mill sites, cemeteries, foundations, stone walls (see Map 2)
 - Site is a recorded archaeological site
3. Conserves, preserves or protects notable wildlife habitats and/or plant communities
 - Site includes species listed by State or Federal agencies as endangered, threatened or of special concern (see Map #11 for DEP Natural Diversity Data Base data)
 - Site contains or helps protect vernal pools, marshes, cedar swamps, grasslands, waterbodies or other notable plant or animal habitats
 - Site is within a designated large contiguous interior forest area (see Map #11)
 - Site includes a diversity of habitats
4. Conserves, preserves or protects important surface or groundwater resources
 - Site is located within or proximate to a State-designated wellfield aquifer area, potential stratified drift wellfield area or existing public water supply well
 - Site is proximate to the Willimantic Reservoir or tributary watercourses and waterbodies
 - Site contains or is adjacent to significant wetlands, watercourses or waterbodies and acquisition will significantly help to protect the water resource
 - Site contains a flood hazard area
5. Conserves, preserves or protects agricultural or forestry land
 - Site contains prime agricultural soils or agricultural soils of State-wide significance, (particularly important when in association with an existing agricultural use)

2006 MANSFIELD PLAN OF CONSERVATION AND DEVELOPMENT

Effective Date: April 15, 2006

Adopted by Mansfield Planning and Zoning Commission: January 17, 2006

Endorsed by Mansfield Town Council: January 9, 2006

- Site is located within an existing agricultural area such as the area in southwestern Mansfield along Mansfield City Road, Stearns Road, Browns Road, Crane Hill Road and Pleasant Valley Road
 - Site contains prime forestry soils (particularly important when located within a large contiguous interior forest area or within a site implementing a long-term forest management plan)
 - Site would provide a significant buffer for an existing agricultural use
6. Conserves, preserves or protects important scenic resources
- Site contains scenic overlooks, ridgelines, open fields, meadows, river valleys and other areas or features of particular scenic importance. (Information contained on Map 12 should be utilized in considering relative scenic importance.)
 - Site contains significant roadside features such as specimen trees and noteworthy stone walls
 - Site abuts a Town-designated Scenic Road
 - Site is visible from existing roadways, trails and/or readily accessible public spaces
 - Site contributes to the scenic quality of one of Mansfield's historic village areas
7. Creates or enhances connections
- Site is located along the Willimantic River, the Nipmuck Trail or other State-recognized greenway or a potential town-wide or multi-town greenway or trail system
 - Site would expand an existing park or preserved open space area and contribute to a continuous area of open space, protect a wildlife corridor, and/or provide a new trail access between open space properties or from existing roads or subdivisions to open space properties)
 - Site would provide a new linkage from an existing or proposed residential neighborhood to an open space/park area, school or commercial area
 - Site provides a buffer area for existing trails
8. Creates or enhances recreational opportunity
- Site is physically suitable for future ballfields and other active recreational use
 - Site abuts an existing school, playground or active recreational site
 - Site provides new boating or fishing access to the Willimantic River or other significant watercourses or waterbodies
 - Site abuts or is within the watershed of existing outdoor public swimming site, such as Bicentennial Pond in Schoolhouse Brook Park
 - Site is located within or proximate to existing areas of higher-density/residential development

Attachment B
Sample Lease for Agriculture Land

LEASE AGREEMENT

Made the day of 2005, between the Town of Mansfield, acting herein by Matthew W. Hart, its Town Manager, a municipal corporation located in the County of Tolland, State of Connecticut, hereinafter referred to as "Lessor," and [insert name of farmer], hereinafter referred to as "Lessee".

WITNESSETH

That the said Lessor, for and in consideration of the covenants hereinafter reserved and contained, and to be kept and fulfilled on the part of said Lessee, has let and by these presents does grant, demise and farm let unto said Lessee for an initial sixty (60) month term or five (5) planting seasons.

AND IT IS FURTHER AGREED that if Lessee is found to be in default of any of the covenants herein contained, Lessor shall cause written notice of said default to be sent, by Certified Mail, to Lessee. In the event Lessee takes no steps to cure said default within fifteen (15) days after mailing of said notice, then it shall be lawful for Lessor, without further notice to re-enter and take possession of said leased premises, and such re-entry and taking possession shall end and terminate this lease.

AND THE SAID LESSEE does hereby further agree to comply with and conform to all the laws of the State of Connecticut, and the by-laws, rules, and regulations of the Town of Mansfield within which the premises hereby leased are situated, relating to health, nuisance, fire, highways, and sidewalks, so far as the premises hereby leased are, or may be, concerned, and to save the Lessor harmless from all fines, penalties, and costs for violation of, or non-compliance with, the same.

THE LESSEE will maintain the fields in good agricultural condition and will mow the field at least once a year.

THE LESSEE will submit by November 30 of each year a form enclosed in Attachment B to:

The Mansfield Parks Coordinator
Parks and Recreation
10 South Eagleville Rd.
Storrs, CT 06268
860-429-3015x110
860-429-9773 (FAX)

Any restricted use pesticide must be applied by a licensed applicator. The plan will conform to agricultural practices recommended by the CT Cooperative Extension System or a comparable advisor.

The LESSEE agrees to refrain from the long-term storage of manure on the site. The temporary storage of hay is allowed until November 1 of each year.

THE LESSEE shall not cut, other than pruning, destroy or remove any trees without the consent of the Town of Mansfield, said consent to be in writing, and not unreasonably withheld; nor introduce farm or domestic animals; nor install any fencing.

At the end of the five (5) year period, beginning with the effective date of this lease, and at the end of any succeeding five (5) year term agreed to by the parties, the Lessor may review the terms and conditions of the lease to determine if it is in the best interests of the Town to continue the lease for additional five (5) year term and if so, whether any changes will be made in the lease at the discretion of the Lessor. The Lessee may terminate the lease with written notification prior to November 30 of any year. If the Lessee fails to meet the terms of the lease as contained herein, the Lessor may terminate the lease with a one-month written notice.

AND AT THE TERMINATION of lease as provided for above, the Lessee will quit and surrender the premises

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hereby demised in as good state and condition as reasonable use and wear thereof will permit, damages by the elements excepted, and the said Lessor shall have the right to enter said premises for the same purpose of showing the same to applicants for hiring the same, at any time subsequent to the November 30 date. The Lessee shall have the first option of renewing this lease under terms to be set forth by the Town.

COMMENCING WITH the growing season of a year to be determined, the Lessee agrees to compensate the Lessor in an amount to be determined payable on or before February 1 of each year. Said amount will be negotiated prior to each subsequent growing season.

THE LESSEE and the Lessee's family shall be relieved of any obligation within this lease should the Lessee become incapacitated or unable to maintain the responsibilities entailed in this agreement.

THE LESSEE will maintain Workmen's Compensation coverage in accordance with the laws of the State of Connecticut if employees are hired to work the land. The Lessee will provide liability insurance with limits of not less than \$100,000.00 per occurrence, naming Lessor as an additional insured, insuring against loss or injury caused by Lessee's activity on the demised premises.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
In the Presence Of:

TOWN OF MANSFIELD

Attachment C
Sample Management Plan

Mansfield Preserve Management Plan

MANSFIELD LAND MANAGEMENT PLAN FOR PARK, RECREATION, OR OPEN SPACE PROPERTY

NAME OF PROPERTY: Mansfield Preserve.

LOCATION OF PROPERTY: Frontage on Gurley Road, Birch Drive and Main Street

MAP/BLOCK/LOT :

Smith Revocable Trust	10.43.35-1	28.76 acres	
Mansfield Heights Subdivision		10.43.12	1.6 acres
	Total		30.36-acres

PUBLIC ACCESS: Allowed, passive recreation only.

PROPERTY CLASSIFICATION: Open Space Preserve

PURCHASE INFORMATION:

Smith Revocable Trust: 28.76 acres for \$90,000 on 5/22/1996 from Open Space Fund.
Mansfield Heights Subdivision: 1.6 acres for \$1.00 on 9/27/1967

AGENCIES THAT HELPED PREPARE MANAGEMENT PLAN: Staff, Parks Advisory Committee, Open Space Preservation Committee

DATE MANAGEMENT PLAN WAS PREPARED: November 2007

REVISION DATES:

DATE OF TOWN COUNCIL APPROVAL:

COMMITTEE REVIEW DATE: PAC to review biannually

OVERVIEW

Mansfield Preserve is a 30-acre parcel with frontage on Gurley Road, Birch Drive, and Main Street. The property is primarily wooded and contains a portion of Bundy Brook and an approximately 4-acre agricultural field, currently in hay production and leased to a local farmer. There are remains of the former Bundy Homestead. The Chipmunk Trail runs through the eastern portion of the property connecting Joshua's Trust's Gurleyville Gristmill to UConn's Fenton River Forest Tract.

MANAGEMENT GOALS

A. Recreational

Maintain trail system in conjunction with Connecticut Forest and Parks Association.

B. Ecological

Maintain riparian buffer along Bundy Brook.

C. Agricultural

Encourage sustainable agricultural practices on the agricultural field.

D. Historical

Encourage interpretation of Bundy Homestead. Cooperate with Mansfield Historical Society and Joshua's Trust to preserve historical artifacts on the property.

INVENTORY

A. Notable Physical Characteristics

The northwestern portion of Mansfield Preserve contains a steeply sloping hemlock forest. The center of the property contains an approximately 4-acre agricultural field currently in hay production and leased to a local farmer. The eastern portion of the site contains a swampy area with an adjacent esker. Bundy Brook is located in the southern part of the forest. A mature stand of pines and other interesting vegetation is located along the Northern side of Bundy Brook.

B. Notable Special Features

Mansfield Preserve contains approximately 0.25 miles of the Chipmunk Trail, which connects Joshua's Trust's Gurleyville Gristmill to UConn's Fenton River Forest Tract. The main entrance to the property is off of Gurley Road, where there is adequate parking. The former Bundy Homestead site is located in the southwest corner of the site and contains foundations, a root cellar and stone walls.

C. Notable Concerns

Last revised on: 3/19/2009

Monitor the Bundy homestead area for debris. Obtain permanent easement for access to the field by farmer and for land management. The site contains steep slopes. Thus, trail should be planned to minimize erosion.

MANAGEMENT

A. Preparation

1. Develop, purchase and install appropriate preserve signage
2. Install boundary markers and signs as needed
3. Mark existing pedestrian trail leading out to Holly Drive (Torrey Trail).

B. Maintenance

1. Maintain trailheads and trails in conjunction with Connecticut Forest and Parks Association, which maintains the Chipmunk Trail.

C. Ecological Management

1. Prepare a natural resources inventory.
2. Based on the natural resource inventory, determine how to encourage native plant and animal communities and to control invasive plants.

D. Enhancements

1. Encourage public participation by recruiting and training a volunteer steward
2. Solicit educational and research use
3. Create an interpretive trail guide

E. Monitoring

1. Staff and/or volunteer annually monitor entrances, trails, and boundaries
2. Staff and/or volunteer annually update and review the management schedule

ATTACHMENTS

- Attachment 1 Aerial Photo
- Attachment 2 Trail Map
- Attachment 3 Bundy Preserve Abutters List
- Attachment 4 Fiscal Notes
- Attachment 5 Property Deeds

Last revised on: 3/19/2009

Appendix D
Non-Native Invasive Species Policy

Non-Native Invasive Species Policy- Adopted on the Staff level after briefing the Town Council at their 11/22/04 meeting.

To properly address non-native invasive species, use the resources available in the already established academic invasives community, and ultimately define the Town role, the Town enacted the following invasives policy:

The Town of Mansfield recognizes that the spread of invasive plants and animals is a serious environmental problem threatening our local natural ecosystems. Therefore, in the Town's continuing effort to preserve, restore, and protect native plant and animal communities of Mansfield, we establish this policy for invasives control.

- Include the development and implementation of an invasives control plan in Town properties' land management plans.
- Train staff and volunteers in control methods, and apply to selected sites.
- Educate residents about the invasives problem.
- Work with other groups concerned with invasives control.

Are you concerned about non-native invasive species such as Asiatic bittersweet, burning bush, multiflora rose, autumn olive, Russian olive and others? There are several excellent sources of information available through the Connecticut Invasive Plant Working Group (CIWPG), Invasive Plant Atlas of New England (IPANE), Natural Resources Conservation Service (NRCS).

Attachment E
Conservation Easement Abstract
Conservation Easement Monitoring/Inspection Form

Mansfield Conservation Easement Abstract

Location of Easement (address): _____

Name of Property: _____

Subdivision (if applicable): _____

Original Grantor: _____

Assessor's Map: _____ Block: _____ Lot: _____

Date Easement filed on Land Record: _____

Size of Easement: _____

Current owner(s) (attach listing of all owners address and phone): _____

Method of Identifying Easement area (iron pins, medallions): _____

General Description of Easement area (special features, existing structures, roads, etc.):

Nature of Easement restrictions (notation of unique or special conditions): _____

Attachments (check all the apply)

- _____ Copy of Conservation Easement document
- _____ Survey Plan/Subdivision map
- _____ Topographic map with Easement boundaries
- _____ Aerial Photo
- _____ Photos with associated map/sketch indicating location and direction of photos
- _____ Record of ownership/property transfers
- _____ Monitoring Inspection Reports
- _____ Other (please describe)

Mansfield Conservation Easement Monitoring/Inspection Report

Location (address): _____

Name of property/subdivision: _____

Local contact/resident (as appropriate): _____

Monitoring visit notification:

Date letter was sent to owner/local contact: _____

Date/time of follow-up phone call: _____

Description of current land use abutting easement area: _____

Easement boundaries/markers (are boundaries present and visible): _____

Descriptions of observed human or natural alterations or encroachments to the conservation area _____

Observations/Comments (List any potential problems/general condition of easement):

To the best of your knowledge and observation, are the terms/conditions of the Conservation Easement being complied with? (please describe) _____

Method/nature of inspection (personal visit, aerial, walked boundaries/spot-check interior, etc.): _____

Date and Time of Inspection): _____

List all persons attending inspection (owner and others): _____

Monitor's name: _____

Monitor's signature: _____

Owner's/local contact's name and signature (where possible): _____

Attached support data (please describe) (i.e. photos, aerial photos, maps/illustrations/sketches, other): _____



Town of Mansfield

Department of Planning and Development

Date: December 4, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Subject: Modification Request, Amphitheater and Exhibit Project, 28 Dog Lane; Paideia, PZC
File #1337

Following the Commission's decision at the last meeting, Paideia has submitted a new application to modify their Special Permit (form and fee). After reviewing the initial letter submitted, I did not believe that it clearly represented what they were requesting based on discussions I have had with them. As such, they have indicated that they will submit a revised letter and updated plan sheets on Monday morning which I will distribute to the Commission at Monday's meeting, along with my memo.

Based on my discussions and the initial letter submitted, this application is different from the request reviewed last month and as such they are hoping that it can be processed as a modification and not require additional special permit review. The architect for the project will be available to present the proposed modifications to demonstrate that they are minor in nature and do not represent significant changes to the project.

It is my understanding that this revised application will:

- Eliminate the request to begin using the amphitheater with a temporary permit at the present time.
- Request permission to add the upper plaza back to the top of the Exhibit Hall building using the same design as was originally approved in 2006; consistent with that design a parapet wall would be used instead of the ornamental iron fence requested in the last modification.
- Clarify which changes to the plans have been made in response to comments from town staff to address code compliance and safety concerns. Examples include the addition of the metal railing along the walkway to the amphitheater; the design of the connection between the upper plaza and the parking lot along Dog Lane which was adjusted to meet ADA slope requirements; the addition of pavers at the top of the theater to provide a stable walking surface for ingress/egress and improvements to the stormwater management system made in response to comments from the Assistant Town Engineer.

It should be noted that when the Commission approved changes to the site plan in 2008, a condition of approval was that the applicant submit new architectural drawings for the Exhibit Hall and that no work on that portion of the project would be permitted until those plans had been submitted and approved by the Commission. Approval of the elevations for the Exhibit Hall as such are not considered part of the modification request with the exception of the request to reinstate the upper plaza, which had been removed as part of the 2008 modification request.

ZONING AGENT'S SECTION

After reviewing this application with respect to provisions of the Mansfield Zoning Regulations, including Article XI, Section D and Article V, Sections A.8 and B.9, the following determination has been made:

1. The subject modification request does not contain adequate information and is therefore denied. Applicable comments are listed below.
2. The subject modification is denied for reasons listed below.
3. The subject modification request has been reviewed with the PZC Chairman and we have concurred that the requested modification is minor in nature. Subject to any special conditions or comments noted below, the subject modification request is approved.
4. The subject modification request has been reviewed with the PZC and, in accordance with PZC action on _____, the subject modification request is approved, subject to any special conditions or comments noted below.
5. The subject modification request has been reviewed with the PZC and, in accordance with PZC action on _____, the subject modification request is considered a significant alteration of the approved plans and/or site, and shall require the submittal and processing of a new site plan or special permit application.
6. Other (see comments below)

Special conditions/comments/reasons for denial:

Zoning Agent's signature

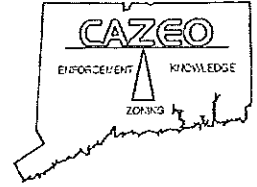
date _____

PZC Chairman's signature (items 3 and 4 above)

date _____



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
From: Curt B. Hirsch, Zoning Agent
Date: December 1, 2015

Re: Cumberland Farms, 1660 Storrs Road PZC file # 1303-2
Request for determination on a 'sign'

I received an 11/9/15 Request for Modifications from Carolyn Parker, representing Cumberland Farms at 1660 Storrs Road, requesting that Cumberland Farms be permitted to place "LED pump toppers" on individual gasoline pumps. A fee was submitted along with a letter and additional other documentation. The toppers would replace the current pricing signs on top of the pumps, which consist of manually changed, magnetic numbers for the different grades of gasoline. As stated in her letter, the LED toppers have been authorized for use by the CT Department of Consumer Protection. The new type of electronic signage allows a retailer to display prices, alternating between a 'standard price' and the price for their "Smart Pay" customers. In a more common situation I would foresee these alternating between a 'cash' price and a 'credit card' price. This is our first request for this type of technology but I foresee this as being adopted by other gasoline retailers.

I am bringing this to the Commission's attention because the Mansfield Zoning Regulations have a prohibition against *Flashing, rotating, moving or blinking signs or optically projected slide signals which are changed periodically*. There is an exemption for time/temperature signs authorized by the Commission. This question has gained a lot of attention among a number of planning departments in the State and I have provided some of that feedback in this packet. I will also forward Commission members a video of the pump topper in operation for a better perspective on what this request is asking for. The request will only affect the display of pricing on the gasoline pumps themselves and is not being requested for use at the free-standing identity sign on site, which also displays prices.

The prohibition against flashing or blinking types of signs was most probably placed in the regulations due to the safety concern over distracted drivers. In my opinion, if the Commission determines that these are signs, these are not signs meant to be viewed from the street. The definition of a 'sign' in Article X.C of the regulations is lengthy, but does pin it down to something "used to attract attention". I don't believe that is the purpose of the pump topper. They provide information to a motorist who has already made the decision to enter the site, whether for gasoline or for products available through the convenience store. The amount of time between the changing of pricing information can be regulated from 0 to 60 seconds, but Cumberland Farms is proposing a period of 8 seconds between display changes, per Ms. Parker's letter. I don't believe we need to be

so involved on the matter as to be determining how frequently the screen changes if the Commission does determine that the proposal is not considered signage.

I recommend that the Commission determine that the proposed LED pump toppers, as described in a 11/9/15 letter from Carolyn Parker, are not 'signs' per the zoning regulations, and may be used as described in the submittals.

My intention is to return the application fee to the applicant as this is not a request for modification.

November 9, 2015

Town of Mansfield
4 S. Eagleville Road
Mansfield, CT 06268

Attn: Mr. Curt Hirsch
Zoning Enforcement

Cumberland Farms
1660 Storrs Road
Mansfield, CT 06268
Delivery: Regular Mail

Dear Mr. Hirsch,

The State of Connecticut Department of Consumer Protection has recently updated their Motor Fuel Price Posting to allow for LED pump toppers at all gas stations in Connecticut. Along with that Cumberland Farms (Cumberland) has started a "Smart Pay" program that allows their customers to receive ten cents off a gallon of gas if they are a member. Cumberland, the owner of the property located at 1660 Storrs Road, Mansfield, CT proposes to remove the (4) four existing manual magnetic pump toppers and install (4) four new LED pump toppers with the "Smart Pay" alternator. The "Smart Pay" alternators will allow the signs to alternate from the "Smart Pay" Member price and the Non-Member prices. Gas prices are a major part of the consumer's gas station choice and the installation of the "Smart Pay" program is instrumental to the customers in allowing them discounted prices at the pumps. The main pylon sign with LED prices will remain as is and will remain static at all times. According to your office we need to be heard by the Planning and Zoning Commission to receive a Request for Site/Building Modifications. Under your bylaw regulation **Section D 2 – Site and Building Modifications** which states "Substantive changes in external building design, signs or building materials." Cumberland, has been installing these alternators over the last few years at their gas stations, setting the alternators to 8 seconds, a considerable length of time when viewing the sign and in no way a "flashing" sign. The setting can be changed from 0 to 60 seconds. The current pump toppers are manual and need to be changed by the employees on a daily bases, the employee needs to shut down the lanes in order to change the prices, which is time consuming and dangerous. The pump toppers are for the customer at the pump and are not meant to be seen from the roadway, the pumps are perpendicular to the roadway and setback approximately 120'-0". We ask to be allowed these signs so that the "Smart Pay" program prices can be displayed on the property. With this in mind please find the following in support of our application:


- (1) One copy of the Request for Site/Building Modifications application
- (1) One copy of the LED pump topper with "Smart Pay" alternator
- (1) One copy of the Existing/Proposed fuel dispensers
- (1) One copy of the State of Connecticut - Motor Fuel Price Posting regulation
- (1) One copy the Site Plan – non-certified – 8 ½" x 11"
- (1) One copy the Owner Authorization Letter
- Check #2646 in the amount of \$50.00 P & Z filing and State fee

SPECIALIZING IN THE PETROLEUM INDUSTRY

Project Management, Permit Expediting, Drafting & Fire Suppression Plans

Please schedule us to be heard at the December 2, 2015 Planning & Zoning Commission meeting. It is my understanding that no abutters need to be notified. If the date of the meeting is different please notify me as soon as possible. If you have any questions or require additional information please call me at 774-239-2781. Thank you in advance for your time.

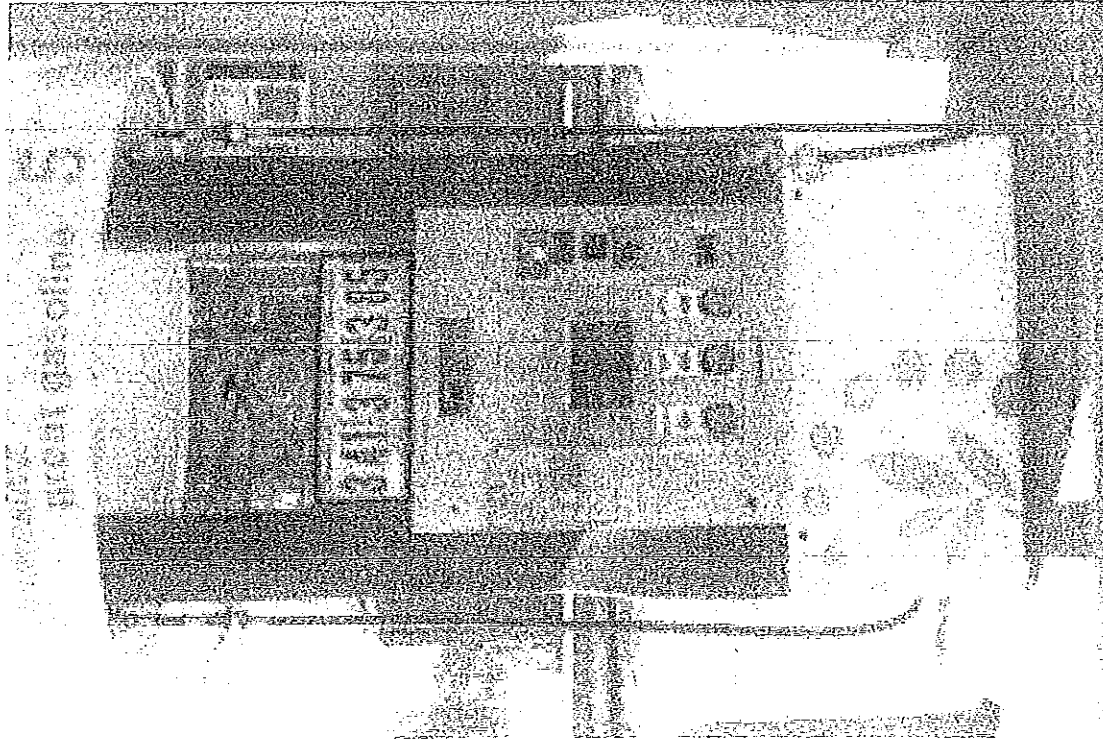
Sincerely,

A handwritten signature in cursive script, appearing to read "Carolyn A. Parker".

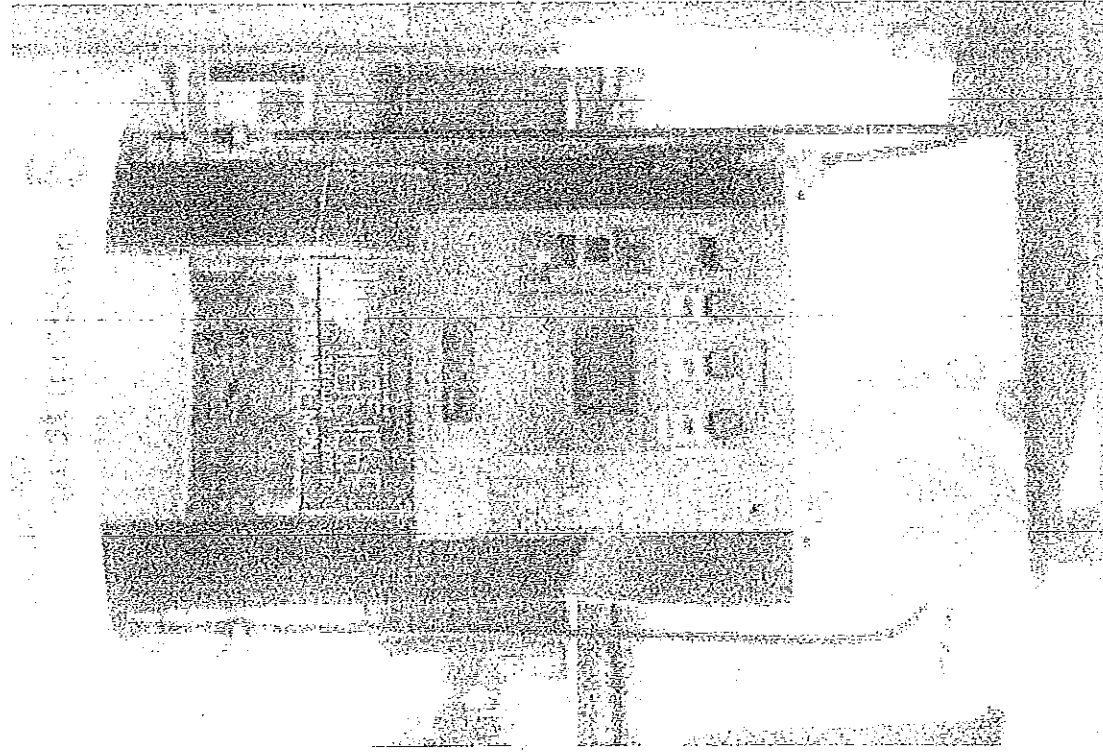
Carolyn A. Parker

Cc: Cumberland Farms
File

SCOPE: REMOVE EXISTING PAULK PUMP TOWER &
 INSTALL NEW LED PUMP TOPPERS WITH
 "SMART PAY" ALTERNATOR.



EXISTING DISPENSER
 2 SF EACH



PROPOSED DISPENSER
 2 SF EACH

IMPORTANT: Use this form (REGS-1) to submit permanent regulations to the Legislative Regulation Review Committee.
For emergency regulations, use form REGS-1-E Instead.
For non-substantive technical amendments and repeals proposed without prior notice or hearing as permitted by subsection (g) of CGS 4-168, as amended by PA 13-247 and PA 13-274, use form REGS-1-T instead.

Please read the additional instructions on the back of the last page (Certification Page) before completing this form. Failure to comply with the instructions may cause disapproval of proposed regulations.

State of Connecticut
REGULATION
of the

NAME OF AGENCY:

DEPARTMENT OF CONSUMER PROTECTION

Concerning

SUBJECT MATTER OF REGULATION:

Motor Fuel Price Posting

Section 1. Subsection (b) of Section 16a-15-8(b) of the Regulations of Connecticut State Agencies is hereby amended as follows:

(b) Price posting.

There shall be a double-faced sign or two reversed single-faced signs on each fixed-location covered product dispenser displayed in a manner that shall be clearly visible to the members of the public from either side of the dispenser. [There shall be a separate sign for] The price of each grade of covered product dispensed from an individual dispenser shall be displayed individually. [If more than two grades of covered products are dispensed from an individual dispenser, display signs as described in section 16a-15-9 shall be required only for the highest and lowest priced grades of covered products available for sale from that dispenser. For all intermediately priced grades of covered product available for sale from that dispenser, signs, as described in section 16a-15-9, shall be required except that all sign, letter, and number dimensions shall be halved.]

Sec. 2. Subsection (a) of Section 16a-15-9 of the Regulations of Connecticut State Agencies is hereby amended as follows:

Sec. 16a-15-9. Signs, dimensions - information

(a) Price

(1) [Each sign] The price display for each grade of covered product shall be 7 ¼ " high and 9 ½ " wide.

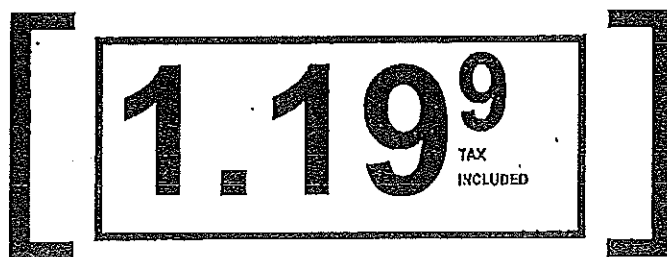
(2) The numbers on such sign shall be 4 1/2" high and 5/8" wide. The price shall be displayed to three decimal places. The third decimal place number shall be half-sized and placed on the sign as shown in the [example] examples at the end of this section.

(3) The numbers and letters shall be displayed in one of the following manners: (A) black numbers and the background shall be white[.]; (B) white numbers and the background shall be black; or (C) illuminated white, red, green or yellow numbers viewed on an electronic display, using light-emitting diode ("LED") technology for example, where the background behind the illuminated numbers shall be black, and the body of the sign shall be either black with white letters, or white with black letters. The statement "TAX INCLUDED," or "TAXES INCLUDED," or "ALL TAXES INCLUDED" shall be displayed on the price sign, in [black] letters 1/2" high and 1/8" wide in black for signs with a white background, and in white for signs with a black background. All price display colors and display methods, namely electronic or non-electronic, shall be consistent throughout the retail premises.

(4) The price on the sign on the top of the dispenser shall indicate price per gallon and shall be the same price as that displayed on the face of the dispenser.

(5) Dispensers shall compute the price for the sale of gasoline on a per gallon basis. Computing the price for such sale by the fraction of a gallon shall be prohibited.

(6) Illustration of price. Price signs, including the color combinations for numbers, characters and sign backgrounds, shall meet the specifications of this section and shall look like [this example] these examples, except that electronic displays may vary to accommodate multiple grades on one sign as described in section 16a-15-8:



(NEW)

Sample display with white background and black letters:

DIESEL	REGULAR	PLUS	SUPER
2.95 ⁹ / ₁₀	2.95 ⁹ / ₁₀	2.95 ⁹ / ₁₀	2.95 ⁹ / ₁₀
<u>Taxes Included</u>	<u>Taxes Included</u>	<u>Taxes Included</u>	<u>Taxes Included</u>

(NEW)

Sample display with black background and white letters:

DIESEL	REGULAR	PLUS	SUPER
2.95 $\frac{9}{10}$	2.95 $\frac{9}{10}$	2.95 $\frac{9}{10}$	2.95 $\frac{9}{10}$
Taxes Included	Taxes Included	Taxes Included	Taxes Included

(NEW)

Sample electronic display:

DIESEL	REGULAR	PLUS	SUPER
2.95 $\frac{9}{10}$	2.95 $\frac{9}{10}$	2.95 $\frac{9}{10}$	2.95 $\frac{9}{10}$
Taxes Included	Taxes Included	Taxes Included	Taxes Included

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

PURPOSE

The purpose of these regulations is to allow alternative types of signs in the advertising of motor vehicle fuel prices. These regulations impact the signs appearing on the top of each motor fuel dispenser pump.

SUMMARY

With these regulations, the motor fuel industry will be able to use now-common electronic signs, such as those making use of Light Emitting Diode (LED) technology. Also, these regulations will allow signs that use white lettering on a black background, in addition to the currently-mandated black lettering on a white background. An additional set of images, each denoted as "NEW," show the three methods of posting a price sign: Black letters on a white background, white letters on a black background, and the new electronic display method.

LEGAL EFFECTS

The legal effect of this proposal would be to modify the current signage requirements for pump-top motor fuel price displays in Connecticut, found in sections 16a-15-8 and 16a-15-9 of the Regulations of Connecticut State Agencies.



Cumberland Gulf Group of Companies
100 Crossing Boulevard • Framingham, MA 01702
508-270-1400
www.cumberlandgulf.com

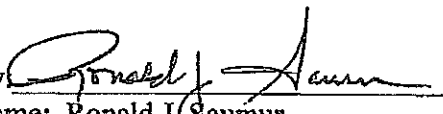


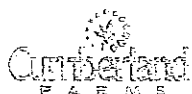
January 31, 2014

OWNER'S AUTHORIZATION

Cumberland Farms, Inc., with a usual place of business in Framingham, Massachusetts, does hereby authorize Carolyn A. Parker to apply for and represent Cumberland Farms, Inc. in filing of any applications for required permits and/or approvals for signs in regard to its convenience stores/gas stations including, but not limited to, appearing before any governmental agency at general meetings or public hearings.

Cumberland Farms, Inc.

By: 
Name: Ronald J. Saumur
Title: Director of Retail Petroleum



Branded Products



Curt B. Hirsch

From: Linda M. Painter
Sent: Tuesday, November 17, 2015 5:59 PM
To: Curt B. Hirsch
Subject: Fwd: LED fuel pump price postings

Interesting response to a timely issue

Good afternoon,

The Department of Consumer Protection recently updated their regulations to allow electronic (LED) fuel pump price posting signs (pump toppers) at gas stations, which also gives the price the ability to change continually throughout the day. Does anyone have standards for these or ones that would apply?

Assistant Town Planner/Zoning & Wetlands Enforcement Officer
TOWN OF ELLINGTON

Seems like they are geared toward the customer already at the pump. Depending on your definition of "sign" they may not qualify as signs if they are not meant to be visible at the street. The only hitch is that some signs alternate about every eight seconds or so which may be distracting.

I'm inclined towards allowing them if they are not readily visible from the traveled right-of way.

See the link below for a video of what a changing topper looks like.

http://youtu.be/9_5bEXQAPLU

Director of Planning & Economic Development
Town of Bloomfield

Same here. We have never required permits for the static pump toppers. While we would regulate an LED price sign at the street, we do not consider the pump toppers to be a regulated sign. At least for now.

Fairfield

1

(Price Information)

"They are required by the Dept of Consumer Protection which now permits them to be LED."

Good point!

Town Planner
275 Broad Street
Windsor, CT 06095



Town of Mansfield

Department of Planning and Development

Date: December 3, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Subject: Appointment of Zoning Enforcement Officer


As the Commission is aware, Curt Hirsch is retiring this month after over 30 years of service to the Town. I am pleased to report that Janell Mullen will be our new Assistant Planner starting on December 7th and will be responsible for zoning enforcement in addition to other duties. As such, the Commission needs to officially authorize her to act as your agent for the purpose of enforcing the Zoning Regulations.

_____ **MOVES,** _____ **seconds to appoint Janell Mullen as Zoning Agent for the purpose of enforcing the Mansfield Zoning and Subdivision Regulations.**



Town of Mansfield

Department of Planning and Development

Date: December 3, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development 
Subject: Zoning Regulations

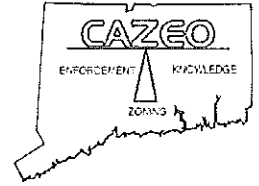
The Regulatory Review Committee met on December 2, 2015 to discuss several potential changes to the Zoning Regulations based on Commission discussion, including:

- Water Service Connection restrictions along water mains in rural residential areas
- Stormwater management
- Impervious cover
- Amplified and live music
- Animal uses, including kennels and domestic animal care/grooming
- Brewpubs, breweries and vineyards
- Multi-Family residential standards including changes to allow more than 3 unrelated individuals to live in one unit in managed apartment developments
- Affordability requirements

As the Commission has a fairly light agenda on Monday, we would like to review the items discussed with the whole Commission for feedback. Draft regulations updated to reflect committee comments will be distributed at Monday's meeting, or by email in advance of the meeting if available.



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDC.T.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
From: Curt B. Hirsch, Zoning Agent
Date: December 1, 2015

Re: Freedom Green, request for full release of escrow
PZC file # 636 - 3

We have received an 11/19/15 request from Attorney Dennis Poitras, agent for Beaudoin Brothers, LLC, to close out the development of Freedom Green, and return the monies being held in escrow, to the developers. This project was initially approved by the PZC in 1979 and it has gone through many changes since that time. After several issues with the early developer's, the Town (PZC & IWA) and the 'new' developer, entered into a Construction Agreement, which formed a precise guideline for the four phases of the unbuilt development that followed. One of the requirements called for the establishment of an Escrow Account. Under the Agreement, five percent of each unit's sale price went into an escrow account, to be used to assure the completion of specific development requirements. As each phase was completed, and often when the escrow rose to an amount in significant excess of the cost to complete a phase, the developer requested that the escrow be capped and that 'unused' monies be returned to the developer. From the perspective of issuing a Certificate of Compliance for the final phase of the project, there are only a very few items that need to be confirmed as complete.

The Commission has committed to notifying the homeowners association whenever there has been a request to release portions of the escrow account. Staff will certainly make that notification regarding this request to release all remaining funds in the account. By copy of this letter, I am notifying the association's attorney and their management company of the request, and providing them an opportunity to comment to the Commission regarding the request.

This item will be placed on a future agenda to review the request and to provide the association the opportunity to comment. The PZC is required to take action on this request within 65 days (by 1/23/16).

cc: Attorney Stephen Bacon, Westford Real Estate Management.

Dennis R. Poitras
Attorney At Law
1733 Storrs Road
P.O. Box 562
Storrs, Connecticut 06268

Telephone (860) 487-0351
Fax (860) 429-4694

Email: drpoitras@yahoo.com

November 19, 2015

Mansfield Planning and Zoning Commission
c/o Linda Painter, Town Planner
Town of Mansfield
4 South Eagleville Road
Storrs, CT 06268

Re: The Villages at Freedom Green – Phase IVC
Bonding

Dear Linda:

I am writing on behalf of the developer, Beaudoin Brothers, LLC, to request release of the remaining bond on Phase IVC of the project.

There is currently \$100,000.00 in the bond account for Phase 4C.

All bonded items have been completed.

Respectfully submitted,

Dennis R. Poitras

Enc.



Town of Mansfield

Department of Planning and Development

Date: December 3, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Subject: Director's Report

If there are any other items or questions, I will address them at the December 7th meeting.

Staffing

I am excited to announce that Janell Mullen has accepted our employment offer and will be starting as the new Assistant Planner on Monday, December 7th. This start date will provide two weeks of overlap with Curt before his last day on December 21st. Janell received her BA in Economics from UConn in 2007 and her Masters of Planning from the University of Southern California in 2012.

Agricultural and Open Space Preservation

- *Mountain Dairy* – The Connecticut Department of Agriculture (DOAG) announced the preservation of 82 acres of farmland owned by Mountain Dairy at a press conference on November 24th; this acquisition is the first step in the preservation of over 700 acres of land owned by the Stearns family. The press conference was attended by the Mayor, Deputy Mayor, Vice Chair of the PZC, Chairs of the Economic Development Commission, Conservation Commission and Open Space Preservation Committee, members of the Agriculture Committee and staff. DOAG is also working with Mountain Dairy to acquire development rights on another 650 acres. The Town has partnered with the State in this important preservation project through the funding of the necessary appraisals and surveys. I would like to commend Jennifer Kaufman, Natural Resources and Sustainability Coordinator, for all of her efforts to move this important preservation project forward and Mountain Dairy for their commitment and contributions to the community. When completed, we will have preserved over 1,000 acres of farmland in southern Mansfield.

Infrastructure

- *Infrastructure Subcommittee* – The committee reviewed and ranked the sidewalk requests for North Eagleville Road. The segment between Southwood Road and Bone Mill Road did not score any points and therefore will not be added to the priority list. The segment between Northwood and Southwood Roads scored 2 points, making it one of the lower priority segments on the list.

The committee also discussed potential applications for the Local Transportation Capital Improvement Program at the last meeting. Two potential complete streets projects were identified: Maple Road and the Eastwood/Westwood pairing. As Maple Road was not included on the priority listing for sidewalks, the committee will be meeting again to score and rank that roadway for with regard to sidewalk needs. Engineering staff is conducting a pedestrian/bicycle count prior to that meeting.

- *Northeast Corridor Tier 1 Draft Environmental Impact Statement.* The Federal Rail Administration has issued a draft EIS for NEC FUTURE, a comprehensive plan for improvements to the Northeast Corridor (NEC) rail line from Washington D.C. to Boston, MA. According to the FRA, “The plan will define a long-term vision and incremental approach for improving passenger rail service.” A copy of the plan and a list of public hearing dates and locations can be found on www.necfuture.com. Comments on the draft EIS are due by January 30, 2016.

Sustainability

- *Mansfield Housing Authority Green Building Charrette.* The Mansfield Housing Authority held a Green Building Charrette on December 3, 2015 to identify strategies for improving the sustainability features (energy efficiency, water conservation, etc.) of existing buildings at Holinko Estates as well as potential new construction. Jennifer Kaufman and I attended a portion of the meeting to provide input on sustainable approaches to site design.

November 23, 2015

Dear Mayor and Mansfield Town Councilmen and Councilwomen,

The Mansfield Neighborhood Preservation Group Committee continues to express grave concerns about the situation of single family homes being converted into student rentals thereby making them into a commercial enterprise in residential neighborhoods. At present there are no Ordinances existing that prohibit this activity from continuing.

We have attached 8 maps of various residential neighborhoods showing to the Town the extent of this problem. For example, upon review of Map #6, it shows that 36% of the homes are a commercial enterprise providing rentals in a fee simple residential neighborhood. We are seeking from you the leadership and the wisdom in protecting the character of our neighborhoods and the value of our homes.

We are asking you, our Town officials, to request the Town Attorney to present an Ordinance that will stop this trend and put into place short term enforcement in policing and providing meaningful fines to the offenders, along with a long term solution that will stop the trend of investors buying single family homes with the intent to turn them into student housing. We all need to find an amicable solution as the UCONN student population grows, as it is going to, and there are insufficient new dormitories being constructed to absorb these students, the Town has a responsibility to protect its citizens and their property values. There lies the issue, as the students have no other place to reside but in our residential neighborhoods. We also suggest, that at present, it may be wise to seek a moratorium of all rentals until the proper Ordinances are put into place.

As you are aware by our investigation, there are single-family homes in almost every area of town that have been converted into student rentals, with many neighborhoods already in jeopardy.

This fall our neighborhood was faced with many problems stemming from the conversion of a single family home into an un-permitted rental. In dealing with these problems, the neighborhood began to look into the number of rental properties throughout the Town of Mansfield, with special interest in single-family home rentals.

Using the town's own figures, we were surprised to learn there had been an increase of 30% in the number of single-family homes converted to rentals in just

one year. We are very concerned about the distribution of rentals throughout the town. By using publicly available information, we began plotting rental properties on a copy of the property map of Mansfield, which is displayed and provided in your handout.

This is still a work in progress, however the results show how overwhelmingly disconcerting the facts are. The results show that the density rates are very high in many parts of town *and* there are rentals in *every* part of town. All marked parcels are rentals: **orange are local owners, blue are out-of-town owners.**

Starting at the north side of town:

Map 1-Cedar Swamp Rd. has a 20% density rate. The beginning of the single home conversions on Birch can be seen at the bottom of this map.

Map 2 - Mansfield Depot has 30% density. In micro-neighborhoods, such as **Bone Mill Rd.** with only 6 homes, even 1 single-family home (16%) conversion changes the neighborhood drastically.

Map 3 - Birch Rd has rentals dotting the entire length of the road, and **Hunting Lodge Road** has a 90% density rate and *now* extends into Hunting Lodge Rd. **Extension.** (The entire length of Hunting Lodge spans Maps 3 & 4.)

Map 4 - Meadowood Rd once a lovely little neighborhood has a density rate of 22%, so 1 in 4 homes is a rental. In a neighborhood like this with only 18 homes, it changes the character of the neighborhood drastically when 4 of those homes are student rentals. **Lynwood**, a lovely, quiet residential neighborhood for professors, now has 7 rentals with several houses currently at risk and the neighbors terrified the next sale will be another rental. #38 Farmstead just went on the market advertised as an investment property at a very low price. (That ad is in your packet.) **Hillyndale** has at least 5 rentals.

Map 5 - Eastern side of Route 195 (Four Corners to Moulton Rd) is at 70%.

Map 6 - Eastwood/Westwood/Hillside Circle has a density rate of 36%.

Map 7- Separatist Rd, Maple Road and even Davis Rd have a number of rentals. **Birchwood Heights** has a density rate of 27%, thus every 4th home is a rental.

Map 8 - Hanks Hill, Storrs Heights, and the **Flaherty** area have many rentals also. Storrs Rd. has a density of about 25% for the entire length of the road, if we put all these maps together.

While a few of these rentals are families, the vast majority are student rentals.

Many neighborhoods **are at risk**. And, the conversion of rentals is happening quickly. Probably everyone in town would agree we do not want another Hunting Lodge Rd.

Even though in 2006 the Town funded a new department to address the problem of blight and ensure that there will be no more areas like Hunting Lodge Rd, we now have *more neighborhoods than ever* at risk of that same fate.

The formation of the ad hoc committee and deputizing 3 additional personnel to enforce over-occupancy ordinances are **excellent** first steps. My neighbors and I appreciate those initiatives, and the Mansfield Neighborhood Preservation Group Committee members have been very supportive.

To make it clear to the community, we would like the Council to publicly state it's intention to use the full force of the existing laws and provide a new Ordinance to prevent this type of activity. The Mansfield Neighborhood Preservation Group Committee looks forward to meeting with the Council and presenting our findings and working with you toward amicable solutions to the most troubling problem affecting our Town.

Regards,

Bill Roe, Jr.

(Son of Wm. H. Roe, Sr., former Dean of Education, University of CT)
(Grew up in Lynwood Acres)

Rebecca Shafer, Attorney
(Grew up on Hillside Circle)

Mansfield Neighborhood Preservation

<https://www.facebook.com/groups/MansfieldNeighborhoodPreservation/>

Property Description

38 Farmstead Rd, Mansfield, CT, Connecticut 06268. This home is a great opportunity for an investment or college home. Contemporary raised ranch has a unique layout. Main level offer kitchen, large living room dining room combination with FP, picture window and sliders to the deck. Master bedroom with full bath and lots of closet space. Hardwood under carpets on main level. Lower level offers 3 additional bedrooms with another full bath, FP, office and laundry area. Located on a quiet country lot less than 1 mile from Jim Calhoun Way. NEW ROOF, NEW HW HEATER. Sheetrock in lower level bath to be replaced. Paneling around main level fireplace to be removed and replaced with new sheetrock. 2000 sq ft total - town only counted upper level.

0000 AT&T

9:43 PM

0000



38 Farmstead Rd, Mansfield, CT, Connecticut 06268, Storrs, Mansfield real estate, Mansfield...

WILLIAMS.COM

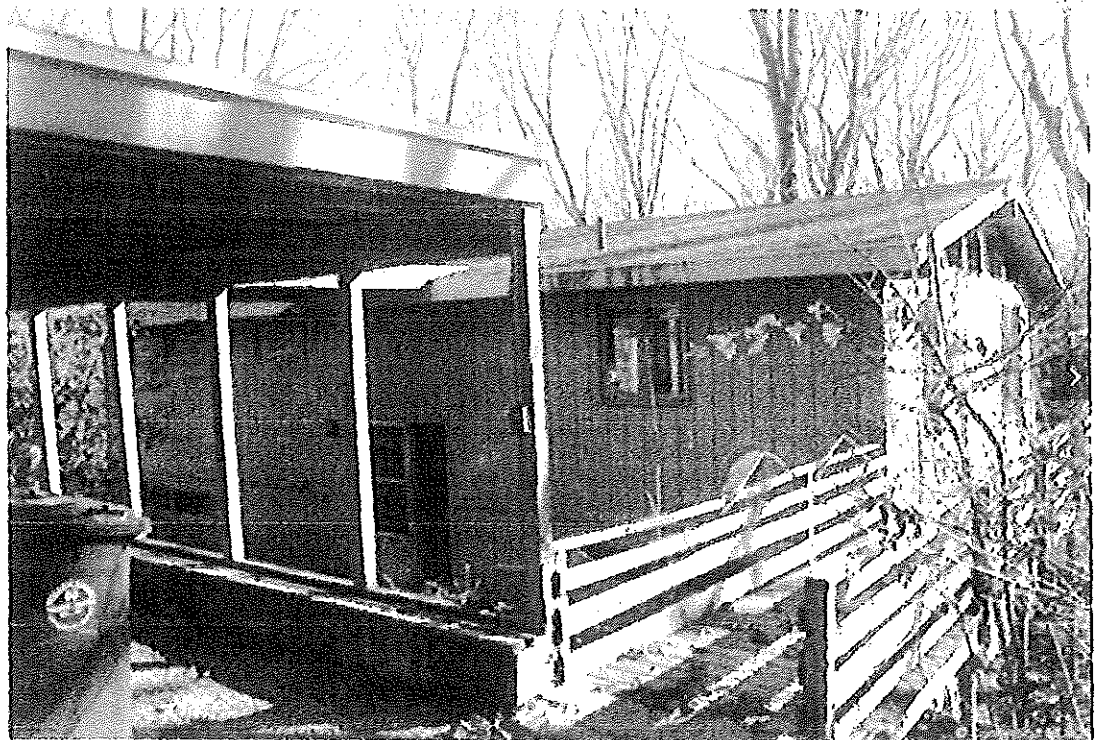
Home

WILLIAM RAVEIS
REAL ESTATE • MORTGAGE • INSURANCE

MENU +

01/15/2015

View On Map



\$145,000 \$127,100 \$161,900

38 Farmstead Rd, Mansfield, CT 06268

Email Listing

Directions



Map

01/15/2015

Town

Address

1



Map 2

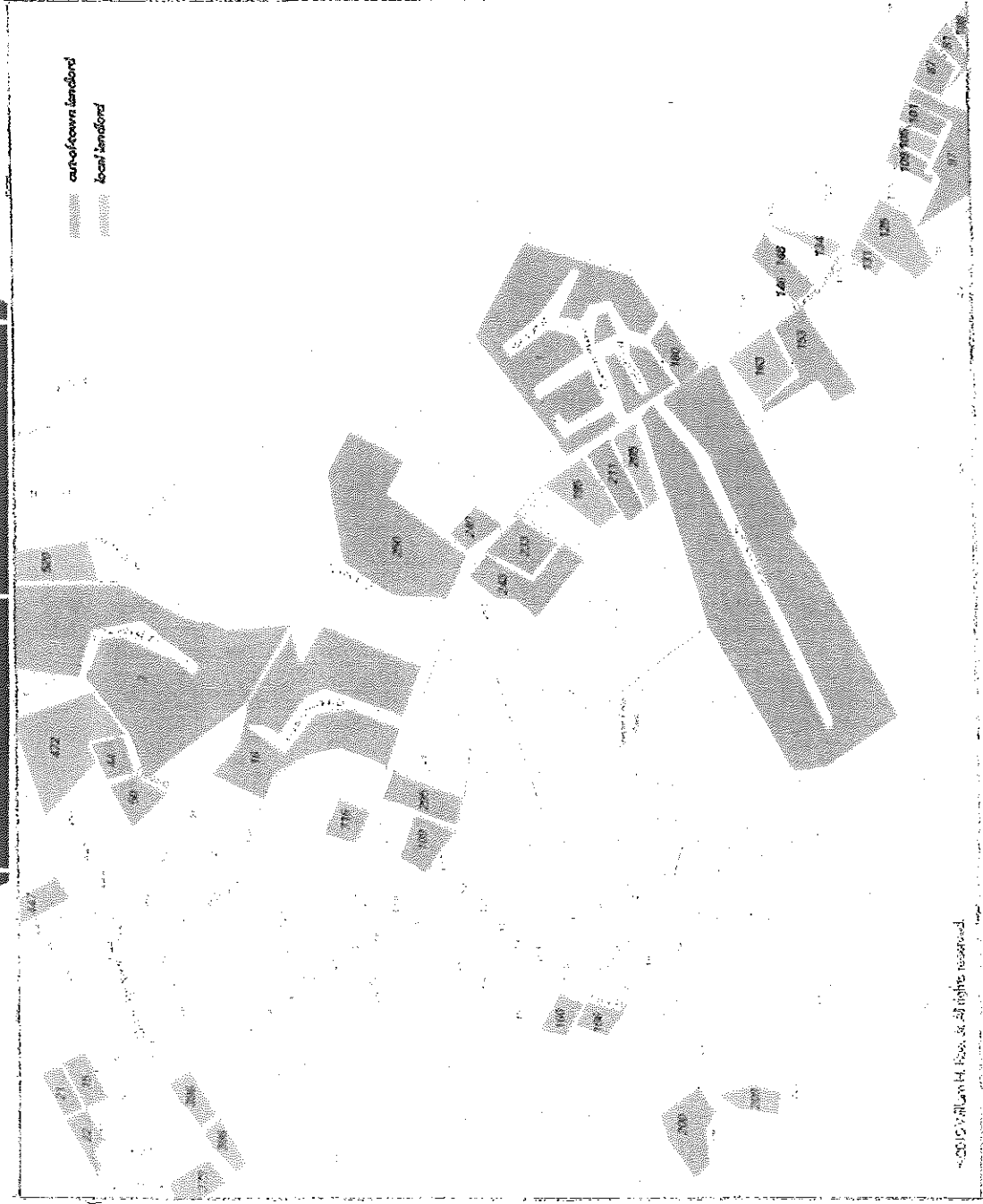
Depot, Bone Mill Rd, Ravine

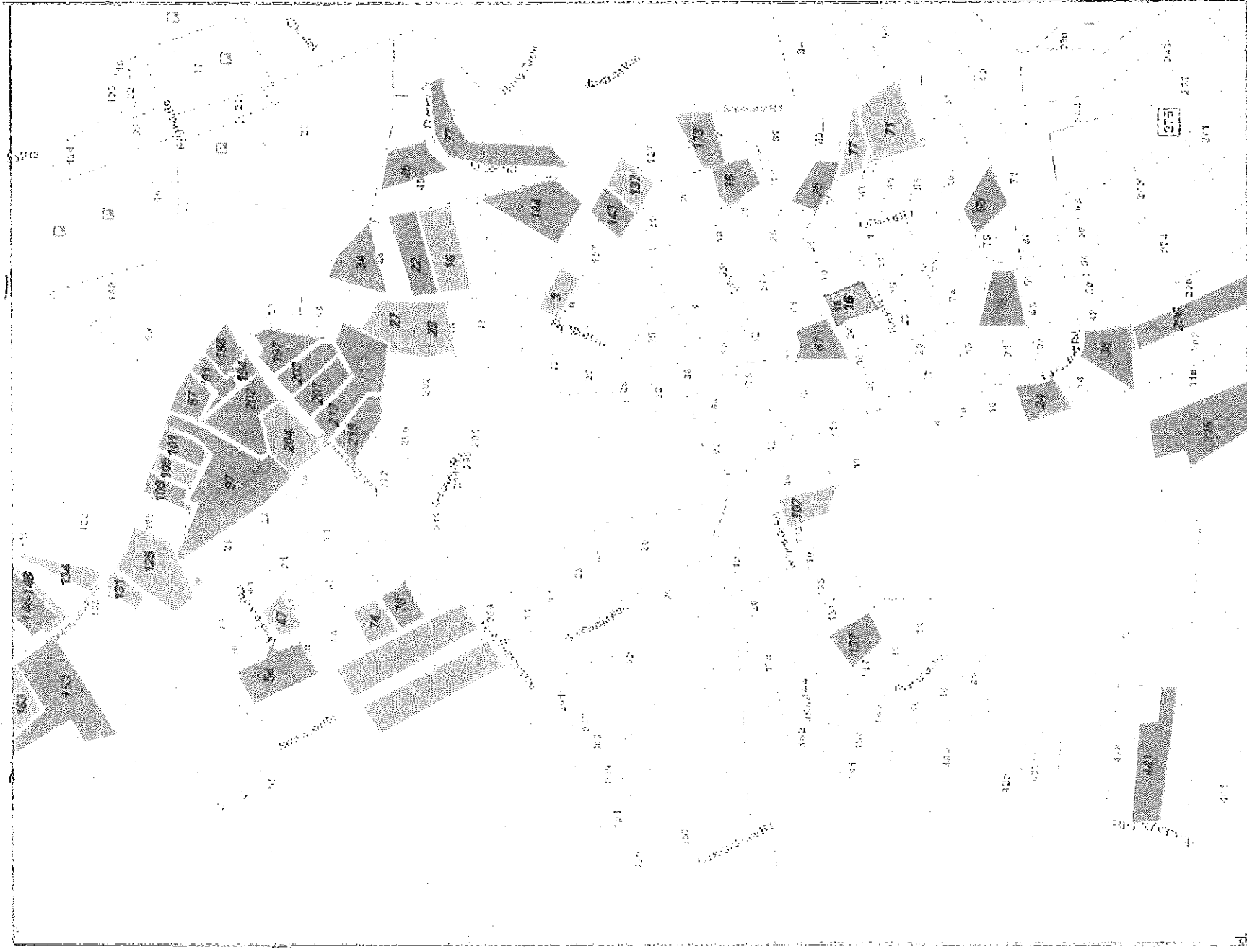
out-of-town land
local land

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Map 3

Birch Rd, Hunting Lodge



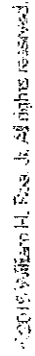


— Meadow, Hunting Lodge, Lynwood

Map 4

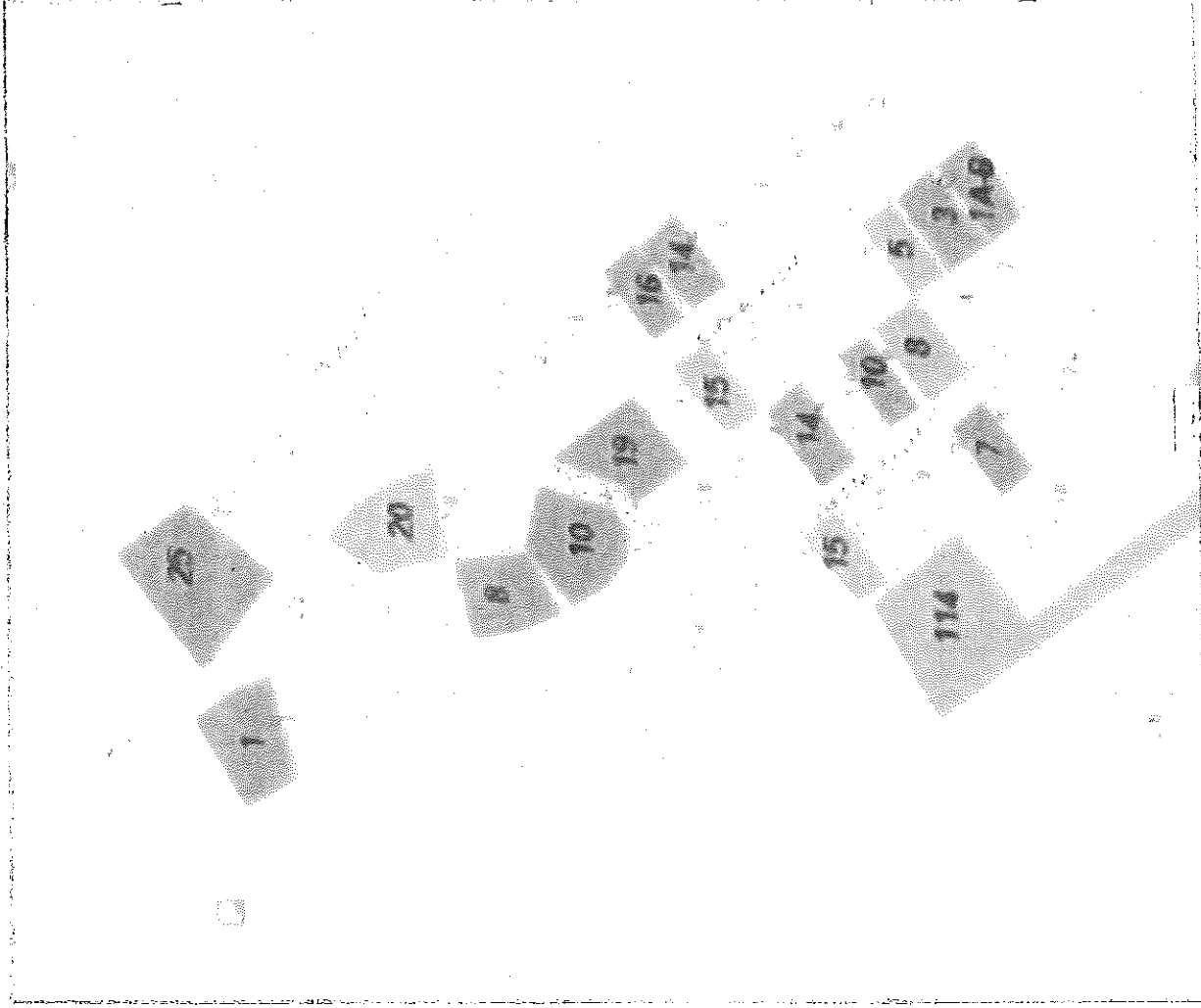
Map 5

RT 195, Moulton Rd



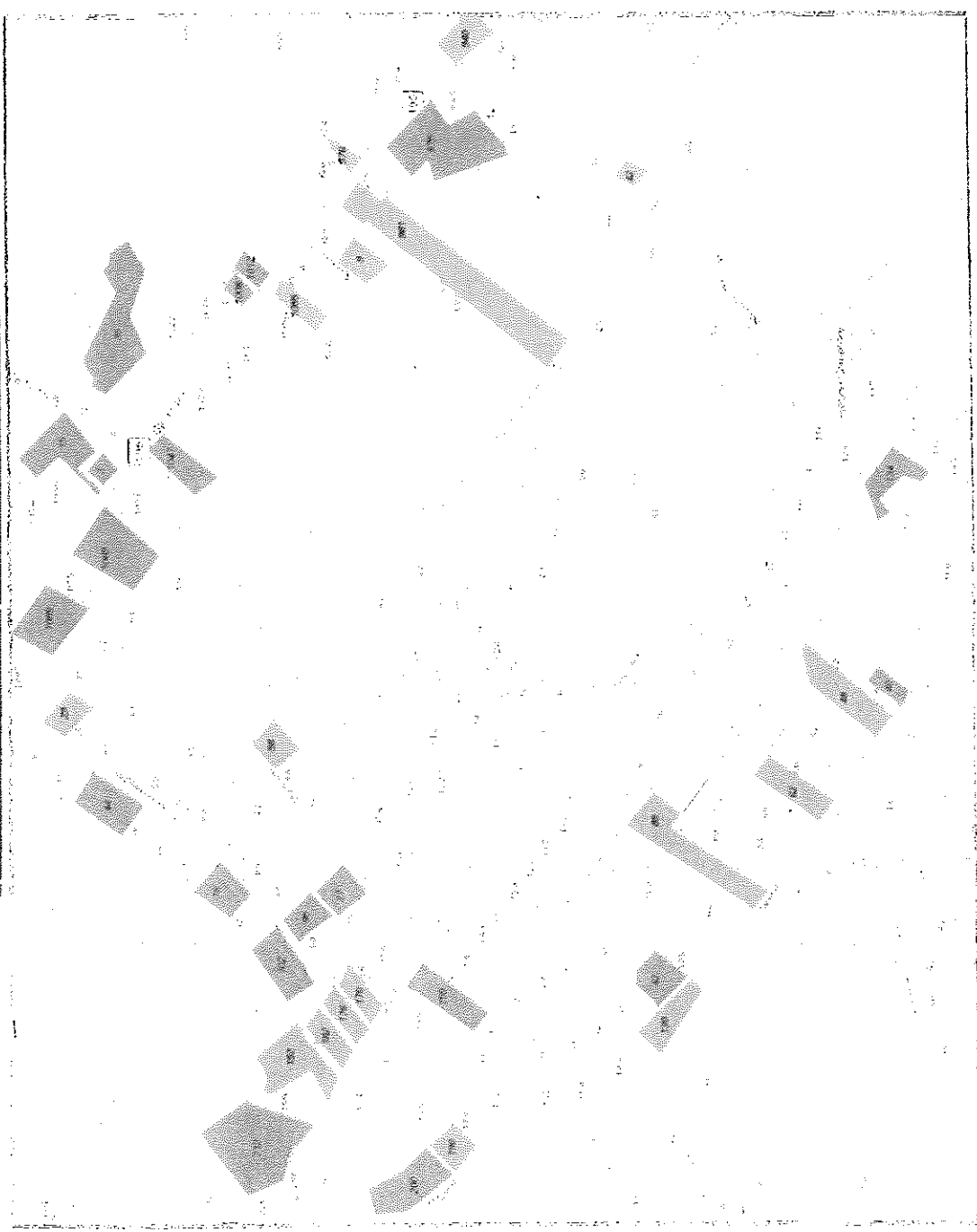
Map 6

Eastwood, Westwood, Hillside



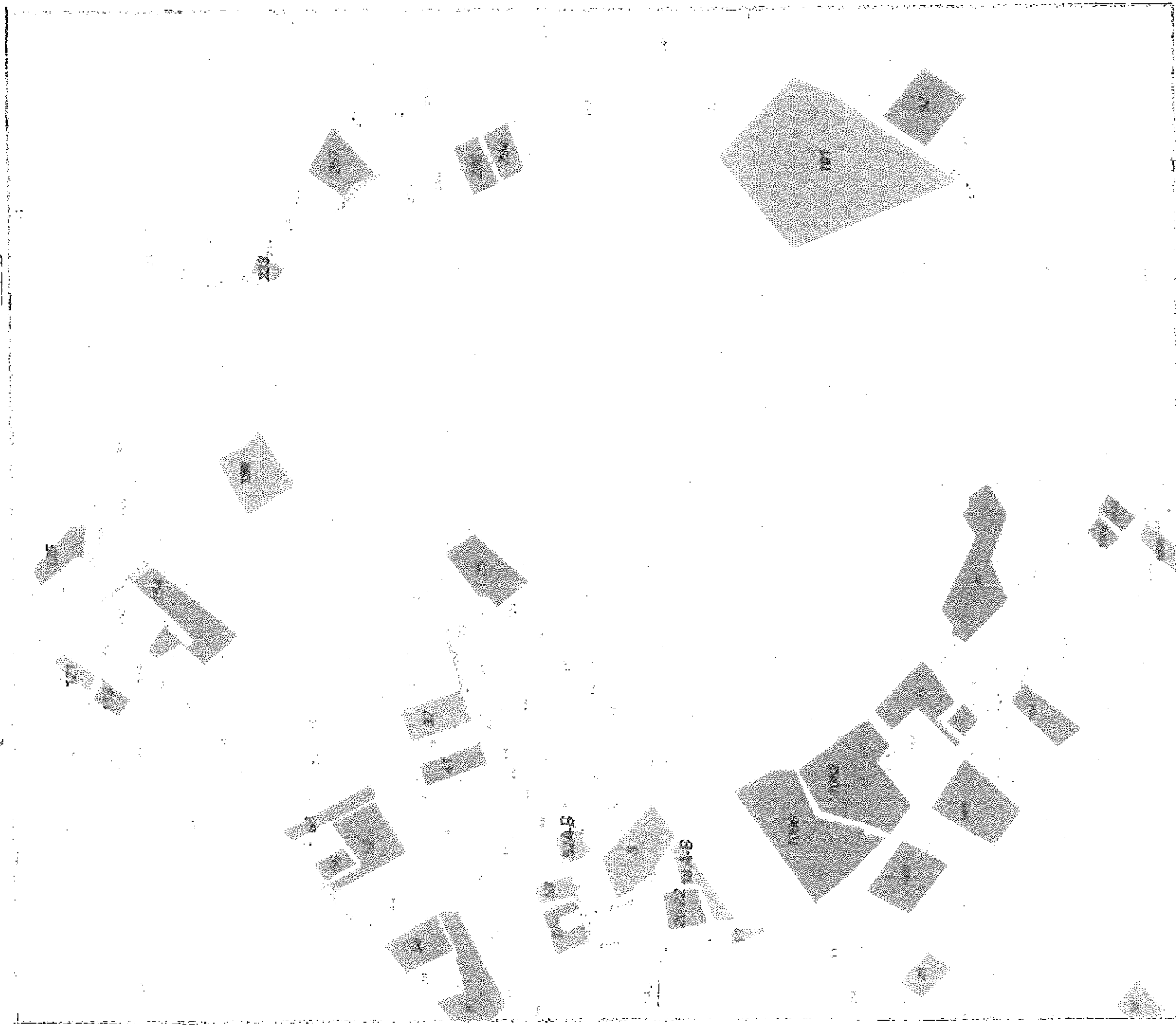
Map 7

Maple, Davis, Birchwood Heights



800-855-2627

Hanks Will, Stores Heights, Osen



Kevin F. Filchak

From: Suzanne Bansal <ssbstorrs@snet.net>
Sent: Friday, November 20, 2015 12:54 PM
To: PlanZoneDept
Subject: CORRECTION: IVY at the Greek Theatre
Attachments: IMG_0776.JPG; IMG_0778.JPG; IMG_0212.PNG

Linda,

Please use this version to send to the PZC. I noticed that in my first email to you in the second line up from the bottom I said "...the first house on the left on Dog Lane...." but what I meant was *the first house on the right on Willowbrook!* Sorry for the inconvenience.

Thank you.

Suzanne

From: Suzanne Bansal <ssbstorrs@snet.net>
To: "PlanZoneDept@mansfieldct.org" <PlanZoneDept@mansfieldct.org>
Sent: Friday, November 20, 2015 12:03 PM
Subject: IVY at the Greek Theatre

Hi Linda,

I'm hoping to leave Greek theatre issues on the waaaay back burner till after the holidays. But in preparation for the PZC's upcoming site visit, I'd just like to explain why the neighbors suggested (in the Oct. 2013 petition) that comprehensive ivy planting on the theatre wall might be desirable. Please find below three photos. The house with ivy growing on it is #82 Willowbrook Rd., the first house on the left as one enters Willowbrook from Dog Lane. There's brick underneath the ivy. I've been in the neighborhood for over twenty years and the ivy has always been very attractive. The remaining photo is of the Harvard University stadium covered with ivy. This is how it looked for decades until 2006 when the ivy was removed and the sidewalk area reworked. I believe a comprehensive ivy covering in addition to a comprehensive planting of deer-resistant evergreens such as japonica right up near the wall (as well as more white pines on the site) will go a long way toward shielding Dog Lane from the concrete structure we are now subjected to. I do not know exactly what variety of ivy covers the #82 Willowbrook Rd. house, but I think it will be important to select the right type - year-round green would be advantageous. I do not know if Boston ivy will do the trick. Perhaps that's why the PZC balked at the ivy suggestion.

One more thing - Paideia has asked to remove the deciduous trees along the roadside. The PZC required deciduous trees there for a reason. That part of Dog Lane has been prone to dark ice in the winter. Kids cross the street there on their way to EOSmith. Putting evergreens there would block the sun from melting the problem area and therefore increase the possibility of an accident. As an aside, the first house on the right on Willowbrook has a history of cars sliding into the yard during snowy conditions. That added to the PZC's determination that deciduous trees would be a better choice along the road.

Suzanne

Kevin F. Filchak

From: Suzanne Bansal <ssbstorrs@snet.net>
Sent: Monday, November 16, 2015 11:27 PM
To: PlanZoneDept
Subject: Revised email to PZC

Linda,

I would have submitted a printed and corrected version of an email (to follow) at tonight's PZC meeting if the circumstances had been different. Would you kindly put it in the PZC's Greek Theatre folder in preparation for the Public Hearing in Jan.? Thank you.

Also, we have two new permanent households in the neighborhood. At the time of our Oct. 2013 petition, 39 Willowbrook Rd. was vacant. The couple occupying 57 Willowbrook Rd. had not been here long enough to get a handle on the petition issues. But both parties have signed on now. Again, I would have submitted their signed petitions tonight but will instead get them out in tomorrow's mail.

Thank you!

Suzanne

Kevin F. Filchak

From: Suzanne Bansal <ssbstorrs@snet.net>
Sent: Monday, November 16, 2015 11:28 PM
To: PlanZoneDept
Subject: Fw: Greek Theatre, Inappropriate Ornamentation (Revised)
Attachments: IMG_1364.JPG

PLEASE SEE THE CORRECTION BELOW IN RED! This email was written and sent before viewing Paideia's plans online. If the PZC meeting had gone differently tonight, I would have submitted this corrected version at that time.

SSB

----- Forwarded Message -----

From: Suzanne Bansal <ssbstorrs@snet.net>
To: "PlanZoneDept@mansfieldct.org" <PlanZoneDept@mansfieldct.org>
Sent: Friday, November 13, 2015 11:46 AM
Subject: Greek Theatre, Inappropriate Ornamentation

Dear Members of the Mansfield PZC,

The Willowbrook, Oak Hill, and Dog Lane neighbors urge the PZC to reject Paideia's request for ornamental design features that are clearly out of character with both the neighborhood surroundings and Paideia's original idea of evoking an ancient Greek outdoor theatre complex. Metal railings and ornament were not part of the original PZC-approved plan.

In the fall of 2013 Paideia submitted drawings of their proposed railings and ornament. Soon after that I took the photo shown below on Main St. in Hartford. Shown is the ornamental metal work of a bank somewhere between the old Fox building and the Atheneum, on the same side of the street. I believe the building was probably constructed between 1900 and the 1940's judging from its architectural detail. It is appropriate ornamentation for that era and subsequent building projects surrounding it have integrated intelligently and beautifully with the bank building's style.

The design of the railing is almost identical to the design that Paideia submitted to the PZC for its Dog Lane project, though Paideia's design is much more ornate! How could something appropriate for urban Main St. in Hartford also be appropriate for Dog Lane, a designated scenic road (from the driveway to Bishop Center to Bundy Lane)?

Please do not accept these aesthetic violations that are radically different from the original approved plan.

Thank you for your attention.

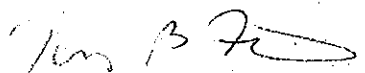
Suzanne Singer Bansal



To the Members of the Mansfield Planning and Zoning Commission:

The following Dog Lane and Willowbrook Rd. homeowners wish to express several concerns regarding the on-going Paideia construction project. We urge the PZC to take the appropriate actions in order to protect our quality of life and our property values.

- 1) We urge the PZC to deny Paideia's request for permission to use the theater before the whole construction project is complete, including the exhibit building, comprehensive landscaping, and the rebuilding (and PZC-mandated extension) of the stone wall that has been removed during construction. We believe that permission to use the theater before total completion of the project will eliminate all incentive for Paideia to complete the project in the timeliest way possible.
- 2) Paideia has deviated from the approved construction plans on several occasions and has asked for PZC approval for the deviations long after the fact (most noteworthy is the approximate 90 degree rotation of the stage location). We believe it is unacceptable for Paideia to willfully ignore the PZC approved plans, build what they wish, and then receive reluctant PZC approval for their violations simply because the work has already been done. We therefore request that the unapproved concrete columns that were constructed opposite the Willowbrook Rd. intersection be removed. We urge the PZC to find a way to put a permanent stop to the violations, which have occurred incrementally over the years.
- 3) Dog Lane is a designated scenic road and the theater protrudes into a neighborhood setting. These two facts were paramount when, through the restrictions stipulated in their 2002 approval, the PZC protected the neighborhood against noise and light pollution, traffic and parking issues, unlimited frequency of theater use, evening use of the theater, and incongruent architectural elements and flourishes.
We urge the 2013 PZC to honor the protective intentions of the 2002 PZC while evaluating Paideia's newly proposed architectural plans.
- 4) We request that intensive screening landscaping be undertaken as originally intended in the 2002 PZC approval. In light of the neglect that left evergreens orange for over a year and a half, we believe allowances have to be made for landscaping that might be neglected in the future. Therefore, we believe that the dense plantings originally called for should be required. The berm has been allowed to weed-over. The evergreen ground cover originally approved for the berm should therefore also be required.
- 5) The concrete retaining wall of the theater, promised and PZC- approved to be faced with marble, is instead coated with a lime wash and now resembles a theme-park structure. We request that the PZC require specific dense evergreen screening very close to (or on, as with ivy) the retaining wall in order to fully screen the concrete from sight. In addition, we request that in the event that Paideia chooses to face the wall in the future, PZC approval be mandatory and that the facing be in keeping with our scenic road and neighborhood setting.



Timothy B. Foltz

57 Willowbrook Rd
Storrs, CT 06268



Marshall E. Foltz

57 Willowbrook Rd.
Storrs, CT 06268

11/16/15

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Jill R Deans
Thomas Deans

7/13/15
11/13/15

JILL DEANS

THOMAS DEANS

39 WILLOWBROOK, STORRS CT 06268

REQUEST FOR SITE/BUILDING MODIFICATIONS
(see Article XI, Section D of the Mansfield Zoning Regulations)

APPLICANT/OWNER SECTION

1. Owner(s) Hellenic Society "Paideia", Inc Telephone 860-429-8518
(please PRINT)
Address 28 Dog Lane Town Storrs Zip 06268
2. Applicant(s) H S Paideia Telephone 860-429-8518
(please PRINT)
Address 28 Dog Lane Town Storrs Zip 06268
3. Site Location 28 Dog Lane
4. Reference any approved map(s) that would be superseded if this request is approved:
Submitted Architectural Plans 2006
5. Reference any new map(s) submitted as part of this request:
Submitter Architectural Plans September 2015
6. Itemize and describe the modification(s) being requested, using separate sheet where necessary. The description must be adequate to determine compliance with all applicable land use regulations: -
Please see attached letter.
7. Dias Tomafos, President date 12/03/2015
Applicant's signature

(over)